

Maggie Beck to be postmaster at Hillsboro, Tex., in place of Maggie Beck. Incumbent's commission expired March 11, 1930.

Maye B. Fitzgerald to be postmaster at Marfa, Tex., in place of M. B. Fitzgerald. Incumbent's commission expired April 20, 1930.

William H. Everitt to be postmaster at North Pleasanton, Tex., in place of W. H. Everitt. Incumbent's commission expired March 15, 1930.

Rufus L. Hybarger to be postmaster at Pineland, Tex., in place of R. L. Hybarger. Incumbent's commission expired March 16, 1930.

Howard F. McWilliams to be postmaster at Queen City, Tex., in place of H. F. McWilliams. Incumbent's commission expires April 28, 1930.

Herman C. Feist to be postmaster at Rowena, Tex., in place of H. C. Feist. Incumbent's commission expires April 28, 1930.

Floyd S. Worth to be postmaster at San Benito, Tex., in place of F. S. Worth. Incumbent's commission expired April 3, 1930.

Don A. Parkhurst to be postmaster at Tahoka, Tex., in place of D. A. Parkhurst. Incumbent's commission expires April 28, 1930.

John W. Osborn to be postmaster at West Columbia, Tex., in place of J. W. Osborn. Incumbent's commission expires April 28, 1930.

UTAH

John A. Israelsen to be postmaster at Hyrum, Utah, in place of J. A. Israelsen. Incumbent's commission expires April 28, 1930.

VERMONT

Charles H. Austin to be postmaster at Richford, Vt., in place of C. H. Austin. Incumbent's commission expires April 28, 1930.

VIRGINIA

James W. Foster to be postmaster at Arrington, Va., in place of C. R. Coakley, removed.

Otis R. Thornhill to be postmaster at Culpeper, Va., in place of O. R. Thornhill. Incumbent's commission expired April 8, 1930.

Philip B. Nourse to be postmaster at East Falls Church, Va., in place of P. B. Nourse. Incumbent's commission expires April 23, 1930.

James F. Walker to be postmaster at Fort Defiance, Va., in place of J. F. Walker. Incumbent's commission expires April 23, 1930.

Charles E. Neal to be postmaster at Stuart, Va., in place of H. L. Gilbert, removed.

Eva C. Hudson to be postmaster at Tye River, Va., in place of E. C. Hudson. Incumbent's commission expires April 23, 1930.

George W. Hammontree to be postmaster at Yorktown, Va., in place of G. W. Hammontree. Incumbent's commission expires April 23, 1930.

WASHINGTON

Richard A. McKellar to be postmaster at Cashmere, Wash., in place of R. A. McKellar. Incumbent's commission expires April 28, 1930.

Helen M. Purvis to be postmaster at Sumner, Wash., in place of H. M. Purvis. Incumbent's commission expires April 28, 1930.

WEST VIRGINIA

Jesse H. Petty to be postmaster at Gary, W. Va., in place of J. H. Petty. Incumbent's commission expires April 30, 1930.

Wendell Evans to be postmaster at Winona, W. Va., in place of Wendell Evans. Incumbent's commission expires April 23, 1930.

WISCONSIN

Elmer Carlson to be postmaster at Brantwood, Wis., in place of Elmer Carlson. Incumbent's commission expires April 23, 1930.

Henry C. Scheller to be postmaster at Cecil, Wis., in place of H. C. Scheller. Incumbent's commission expires April 23, 1930.

Eugene F. Stoddard to be postmaster at Downing, Wis., in place of E. F. Stoddard. Incumbent's commission expires April 23, 1930.

Mae F. Harris to be postmaster at Goodman, Wis., in place of M. F. Harris. Incumbent's commission expires April 28, 1930.

Simon Skroch to be postmaster at Independence, Wis., in place of Simon Skroch. Incumbent's commission expires April 23, 1930.

Charles Pearson to be postmaster at La Valle, Wis., in place of Charles Pearson. Incumbent's commission expires April 23, 1930.

Carrie B. Carter to be postmaster at Lyndon Station, Wis., in place of C. B. Carter. Incumbent's commission expires April 23, 1930.

Emmet W. Zimmerman to be postmaster at Phelps, Wis., in place of E. W. Zimmerman. Incumbent's commission expires April 23, 1930.

Edmund O. Johnson to be postmaster at Warrens, Wis., in place of E. O. Johnson. Incumbent's commission expires April 23, 1930.

Hartvig J. Elstad to be postmaster at Whitehall, Wis., in place of H. J. Elstad. Incumbent's commission expired February 16, 1930.

Oscar M. Waterbury to be postmaster at Williams Bay, Wis., in place of O. M. Waterbury. Incumbent's commission expires April 23, 1930.

George E. King to be postmaster at Winneconne, Wis., in place of G. E. King. Incumbent's commission expires April 23, 1930.

WYOMING

Chester A. Lindsley to be postmaster at Yellowstone Park, Wyo., in place of C. A. Lindsley. Incumbent's commission expires April 28, 1930.

WITHDRAWAL

Executive nomination withdrawn from the Senate April 21, 1930

POSTMASTER

James I. McIlwain to be postmaster at Holladay, in the State of Tennessee.

HOUSE OF REPRESENTATIVES

MONDAY, April 21, 1930

The House met at 12 o'clock noon, pursuant to adjournment. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, we pray that we may be altogether Thine. Take our human natures and banish the shallow happiness; open our eyes to the hills above the clouds and touch the chords that have never given their sweetest music. The charm of courage is its note of heroism. As true and brave men, help us to put the accent there. In the stress, fret, and weariness of things give us a glimpse of the eternal purpose. Thus the mists of feelings shall be dispelled and we shall be led into that strength and sweet attachment without which we can not do our best work. O there is genius in this kind of manhood and manhood in this kind of genius. We thank Thee, blessed Father, for the providence of this new day. Give us guileless hearts and souls that can serve, because there is love, home, and country in them. Amen.

The Journal of the proceedings of Friday, April 18, 1930, was read and approved.

MESSAGE FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On April 9, 1930:

H. R. 8807. An act to provide for the coordination of the public-health activities of the Government, and for other purposes.

On April 10, 1930:

H. R. 6153. An act authorizing the President to appoint a commission to study and report on the conservation and administration of the public domain;

H. R. 7391. An act that the Secretary of the Navy is authorized, in his discretion, upon request from the Governor of the State of North Carolina, to deliver to such governor as custodian for such State the silver service presented to the United States for the U. S. S. *North Carolina*—now U. S. S. *Charlotte*, but out of commission; and

H. R. 7968. An act granting the consent of Congress to agreements or compacts between the States of Oklahoma and Texas for the purchase, construction, and maintenance of highway bridges over the Red River, and for other purposes.

On April 11, 1930:

H. R. 9894. An act to discontinue the coinage of two and one-half dollar gold pieces; and

H. R. 10076. An act to amend sections 476, 482, and 4934 of the Revised Statutes, sections 1 and 14 of the trade-mark act of February 20, 1905, as amended, and section 1 (b) of the trade-mark act of March 19, 1920, and for other purposes.

On April 12, 1930:

H. R. 564. An act for the relief of Josephine Laforge (Sage Woman);

H. R. 565. An act for the relief of Clarence L. Stevens;

H. R. 4289. An act to approve act No. 55 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within the district of Hamakua, island and county of Hawaii";

H. R. 7701. An act to authorize fraternal and benevolent corporations heretofore created by special act of Congress to divide and separate the insurance activities from the fraternal activities by an act of its supreme legislative body, subject to the approval of the superintendent of insurance of the District of Columbia;

H. R. 7830. An act to amend section 5 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900;

H. R. 7855. An act for the relief of Carl Stanley Sloan, minor Flathead allottee;

H. R. 7984. An act to approve act No. 29 of the session laws of 1929 of the Territory of Hawaii, entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric current for light and power within Hanalei, in the district of Hanalei, island and county of Kauai";

H. R. 8143. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near Pocahontas, Ark.;

H. R. 8559. An act to authorize the incorporated town of Cordova, Alaska, to issue bonds for the construction of a trunk sewer system and a bulkhead or retaining wall, and for other purposes;

H. R. 9046. An act to amend the fourth paragraph of section 13 of the Federal reserve act, as amended;

H. R. 9988. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Red House, N. Y.; and

H. R. 10653. An act to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," approved March 3, 1927.

On April 14, 1930:

H. J. Res. 195. Joint resolution authorizing and requesting the President to invite representatives of the Governments of the countries members of the Pan American Union to attend an Inter-American Conference on Agriculture, Forestry, and Animal Industry, and providing for the expenses of such meeting;

H. J. Res. 197. Joint resolution to authorize the purchase of a motor lifeboat, with its equipment and necessary spare parts, from foreign life-saving services;

H. J. Res. 227. Joint resolution authorizing the erection of a Federal reserve branch building in the city of Pittsburgh, Pa.;

H. R. 2331. An act for the relief of Leonard T. Newton;

H. R. 3097. An act for the relief of Capt. George G. Seibels, Supply Corps, United States Navy;

H. R. 3098. An act for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy;

H. R. 3100. An act for the relief of Capt. P. J. Willett, Supply Corps, United States Navy;

H. R. 3101. An act for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy;

H. R. 3104. An act for the relief of Lieut. Edward F. Ney, Supply Corps, United States Navy;

H. R. 3105. An act for the relief of Lieut. Henry Guilmette, Supply Corps, United States Navy;

H. R. 3107. An act for the relief of Lieut. Edward Mixon, Supply Corps, United States Navy;

H. R. 3108. An act for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy;

H. R. 3109. An act for the relief of Capt. William L. F. Simonpietri, Supply Corps, United States Navy;

H. R. 3110. An act for the relief of Capt. John H. Merriam, Supply Corps, United States Navy;

H. R. 3112. An act for the relief of Lieut. Commander Thomas Cochran, Supply Corps, United States Navy;

H. R. 4055. An act to authorize a cash award to William P. Flood for beneficial suggestions resulting in improvement in naval material;

H. R. 5093. An act providing for retired pay for certain members of the former Life Saving Service equivalent to compensation granted to members of the Coast Guard; and

H. R. 8294. An act to amend the act of Congress approved June 28, 1921 (42 Stats. 67, 68), entitled "An act to provide for

the acquisition by the United States of private rights of fishery in and about Pearl Harbor, Territory of Hawaii."

On April 15, 1930:

H. R. 6119. An act for the relief of the Gray Artesian Well Co.;

H. R. 2825. An act to amend section 5 of the act entitled "An act to establish a national military park at the battle field of Stones River, Tenn.," approved March 3, 1927;

H. R. 155. An act providing compensation to the Crow Indians for Custer Battle Field National Cemetery, and for other purposes;

H. R. 6131. An act authorizing the Secretary of the Interior to erect a marker or tablet on the site of the battle between Nez Percés Indians under Chief Joseph and the command of Nelson A. Miles; and

H. R. 9306. An act to authorize per capita payments to the Indians of the Pine Ridge Indian Reservation, S. Dak.

On April 17, 1930:

H. R. 9553. An act to amend sections 401, 402, and 404 of the merchant marine act, 1928;

H. R. 5260. An act to amend section 366 of the Revised Statutes;

H. R. 8877. An act to amend section 9 of the Federal reserve act, as amended;

H. R. 6809. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.; and

H. R. 10865. An act to authorize Brig. Gen. William S. Thayer, Auxiliary Officers' Reserve Corps, and Brig. Gen. William H. Welch, Auxiliary Officers' Reserve Corps, to accept the awards of the French Legion of Honor.

On April 18, 1930:

H. R. 7960. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 4899. An act to provide for the construction of a vessel for the Coast Guard for rescue and assistance work on Lake Michigan; *

H. R. 9562. An act to authorize an appropriation for purchasing 20 acres for addition to the Hot Springs Reserve on the Shoshone or Wind River Indian Reservation, Wyo.;

H. R. 8960. An act making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 6121. An act to authorize the maintenance of central warehouses in national parks and national monuments and authorizing appropriations for the purchase of supplies and materials to be kept in said warehouses.

On April 19, 1930:

H. R. 3568. An act to amend section 1 of an act entitled "An act to revise the north, northeast, and east boundaries of the Yellowstone National Park in the States of Montana and Wyoming, and for other purposes," approved March 1, 1929, being Public Act No. 888 of the Seventieth Congress;

H. R. 5619. An act to authorize the exchange of certain land now within the Lassen Volcanic National Park for certain private land adjoining the park and to adjust the park boundary accordingly, and for other purposes;

H. R. 9442. An act to authorize the Secretary of the Interior to make engineering and economic investigations and studies of conditions in Palo Verde and Cibola Valleys and vicinity on the Colorado River, and for other purposes;

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616);

H. R. 8527. An act to amend the act entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," approved March 2, 1929;

H. R. 9183. An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes;

H. R. 8799. An act to provide for a survey of the Choctaw-hatchee River, Fla. and Ala., with a view to the prevention and control of its floods;

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 9637. An act to extend the times for commencing and completing the construction of a bridge across Lake Champlain

at or near Rouses Point, N. Y., and a point at or near Alburg, Vt.; and

H. R. 10173. An act to authorize the Secretary of Agriculture to conduct investigations of cotton ginning.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10118. An act to authorize the Secretary of War to lend War Department equipment for use at the Twelfth National Convention of the American Legion at Boston, Mass., during the month of October, 1930.

The message also announced that the Senate had passed the following resolution:

Senate Resolution 251

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. R. Q. LEE, late a Representative from the State of Texas;

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative;

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased;

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that pursuant to the foregoing resolution the Vice President had appointed Mr. SHEPPARD, Mr. CONNALLY, Mr. McNARY, Mr. TRAMMELL, Mr. PINE, Mr. BRATTON, and Mr. THOMAS of Oklahoma members of the committee on the part of the Senate to attend the funeral of the deceased Representative.

MONUMENT TO DECEASED INDIAN CHIEFS AND EX-SERVICE MEN

Mr. LEAVITT. Mr. Speaker, by direction of the Committee on Indian Affairs I call up the bill (H. R. 7881) authorizing the Secretary of the Interior to erect a monument as a memorial to the deceased Indian chiefs and ex-service men of the Cheyenne River Sioux Tribe of Indians, with a Senate amendment thereto, and ask unanimous consent that the Senate amendment be agreed to.

The SPEAKER. The gentleman from Montana calls up a House bill with a Senate amendment, which the Clerk will report.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 2, line 5, strike out the words "the tribal funds" and insert "any money in the Treasury of the United States not otherwise appropriated."

The SPEAKER. Is there objection to the request of the gentleman from Montana that the Senate amendment be concurred in?

There was no objection.

HON. GILBERT N. HAUGEN

Mr. CLARKE of New York. Mr. Speaker, I ask unanimous consent for permission to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARKE of New York. Mr. Speaker and fellow colleagues, I have always felt that if there was one day that should be a national holiday, aside from the Fourth of July, it should be this day—this day because it is the birthday of Hon. GILBERT N. HAUGEN, the chairman of the Committee on Agriculture. [Applause.] I would dedicate this day to the life and outstanding service of men who have done their meed for agriculture. I would go into the great State of Iowa and there I would pick out former Secretary Wilson and former Secretary Wallace, and I would select other outstanding figures; but far and above them all stands GILBERT N. HAUGEN. [Applause.]

For 16 consecutive terms, as long as any man has ever continuously represented any district in the House of Representatives, GILBERT N. HAUGEN has been a representative from that district, and I say to-day that I know of no man in all my years of service in this House who in season and out of season has been more faithful to the agricultural cause. Therefore let it be my suggestion upon this day, April 21, that if there ever comes a time when we are going to dedicate one day to agriculture that particular day be the birthday of GILBERT N. HAUGEN. [Applause.]

Mr. COLE. Mr. Speaker, will the gentleman yield?

Mr. CLARKE of New York. Yes.

Mr. COLE. In behalf of the State of Iowa, I thank the gentleman from New York for his high compliment to a most worthy man.

TRUTH AS SHOWN BY THE RECORD

Mr. LANKFORD of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD of Georgia. Mr. Speaker, there is no more firmly established principle than that of self-defense. Life itself is dependent upon this great right. The Creator gave to all the animal kingdom and even the vegetable world not only the right of self-defense but as well an effective means for self-protection and preservation. This great God-given right is recognized in all legislative bodies as a personal privilege of the highest order. Thus it is that Members of Congress can arise as a matter of personal privilege, stopping and having priority over all other proceedings, and defend themselves against an improper, unwarranted, and unjust attack.

Before I introduced a bill to provide for a reasonable Sunday observance law for the District of Columbia I never at any time had cause to rise to a question of personal privilege, but since introducing this bill I have often felt that I had just cause to raise the question of personal privilege. I have never asked for time for this purpose, though, as I knew the statements not only to be untrue but so palpably without foundation until I considered them unworthy of a reply. Many of my friends have advised me that those circulating these rumors have been saying they must be true since I have ignored them and so far refused to answer them. Therefore, in justice to my friends and to myself, I shall briefly discuss some of these fabrications and show their falsity and the vicious motive back of them.

The Sunday haters admit their lack of logic when they resort to a tirade of vilification directed against all who feel that Sunday is a day more sacred than the other six. Why do not they argue their case instead of spending their power in vituperation and slander directed against me and those favoring Sunday legislation? Why not be fair and quote me correctly and overcome my argument with counterargument rather than attempt to get sufficient false reports going the rounds to destroy me politically? These questions answer themselves. Their position is so absurd until they dare not attempt to support it by fair argument before an impartial patriotic American people. Instead of reason dominating their being their mouths are filled with falsehood and guile.

They know an overwhelming majority of the people would at once repudiate their false position if they were to make a fair presentation of whether or not there should be at least some sort of Sunday law in the Capital of the greatest Christian Nation on earth. These haters of the Christian faith, in conjunction with the infidels of the country and their henchmen, feel that by circulating enough slanderous reports about the author of a Sunday bill they can defeat the bill, drive the author out of Congress, and make others afraid to introduce similar bills in the future. I would not make this statement without evidence to support it. Here is only a small part of my evidence, and yet it is sufficient.

Just after I first introduced the bill to provide for a reasonable Sunday law in the city of Washington, the Washington Herald threatened to drive me out of Congress, and boasted of having retired another Member who would not do its will. (See CONGRESSIONAL RECORD, 69th Cong., 1st sess., p. 5725.) I replied at length to this Washington paper, and made, to my mind, one of the best arguments I ever presented to Congress. I argued many evils here, urged the necessity for reasonable laws for the segregation of the races, and stressed many other matters of interest to the whole Nation. The editor referred to the attendance upon the sessions of Congress by Members generally, and in reply I said:

Since the matter of attendance upon the sessions of Congress has been referred to, I will suggest to the gentleman that my record in this respect can be obtained very easily, and I will gladly furnish him addressed envelopes and arrange for him to mail free my record in this respect or in any other respect to all the voters in my district if he wishes to do so. If I had plenty of money, I would gladly pay the gentleman for this service.

Of course, the editor did not mail out my official attendance record that would have proven my attendance to be among the three or four highest out of 435 Members. Neither did he nor those opposing me get the truth from hundreds of Members of Congress and Capitol employees who will testify that my record for hours spent in actual congressional work is one of the very best. They were not looking for the truth. I could not be hurt by the truth concerning my service here.

Just about this time the Washington News carried an article attacking me and containing the greatest number of false accusations ever made against me in one short newspaper article. While my reply to this article is contained in the CONGRESSIONAL RECORD, Sixty-ninth Congress, first session, pages 6989 to 6991, I find the wrong impression made by that false article still is going the rounds and is being used against me. I shall not now repeat that reply, but in justice to myself I shall pay for the resetting of that type and have that part of the speech I made on April 6, 1926, reprinted at my expense and mailed out to my people at the same time I mail out these remarks. I shall in my present remarks answer some of the other false statements that have been circulated against me by those who oppose certain legislation I favor and who are not willing to urge their objections to my bills, speeches, and votes, but prefer to seek to injure me by statements they do not know to be true and which are untrue. Some who repeat them know them to be false or purposely shut their eyes to keep from learning of their falsity, while others innocently pass them along without realizing the great injustice that may come from circulating a report one does not know to be true and which very probably is false.

In fairness to all who live in my district let me say that while I have from time to time heard of these reports being circulated in my district I am convinced that none of them originated in my congressional district. I am absolving all citizens of Georgia from all guilt of originating these fabrications. Let me mention first the ones that have pained me most and yet are utterly untrue. I refer to all statements to the effect that I do not stay on the job and do my very best for the people who elected me. Mr. Chairman, if some one says I am ignorant, or not highly educated, he does not offend me, for I admit my lack of complete knowledge. If any man is without faith about all he knows is that he is here. The one who criticizes oftentimes has book learning or information which does not add to one's capacity to serve his fellow man, and yet he is devoid of the sublimest of all wisdom concerning life's greatest truths.

Let me know very little and be sure it is the truth, rather than think I know much that is not so.

Again if I am criticized as being poor financially, I humbly admit the allegation. I rather suffer any other vilification than that of being charged with disloyalty to those that have trusted me.

Who steals my purse steals trash;

But he that filches from me my good name
Robs me of that which not enriches him,
And makes me poor indeed.

Let me be accused of stealing chickens from the farmer's hen roost, corn from his crib, or bacon from his smokehouse rather than, being Congressman, be accused of devoting my time to personal affairs or entertainment and away from the job while those I was sent here to watch and fight break in and steal all the farmer hath. If I was a sneak thief I would probably steal from only one, and only a little food; but if I, their Representative, am derelict in my duty and without my most determined effort and in my absence, should allow all the earth to rob my people, I would be one of the lowest of thieves and should be one of the most detested of men.

Whatever else may be said, I have remained on the job and done my best for the people of my district and Nation. I have been scrupulously strict in this particular, and no honest man, being familiar with the facts, ever originated or circulated a report to the contrary. Those who desire to destroy the faith my people have in me have said I neglected my work for many reasons. The written records of Congress show exactly the contrary. Except in case of sickness I have only missed four roll calls in 11 years. Three were only calls to get a quorum present, and I was engaged at the time in official matters of supreme importance to my district, and even then was able to be present within a few minutes after the roll call was completed. One other call was missed when I knew my vote could not possibly change the result, and when I was at a department using the very last opportunity I had to make an argument in a matter that meant life and death to some people in my district.

I am truly glad I personally made the last possible argument in that case even if I did miss an immaterial vote. I have never missed a vote or been absent from a session of the House on account of my own personal affairs, financial or otherwise, except when too sick to attend. I have never attended a show, took part in a game, or attended any form of commercialized or free entertainment while the House was in session, statements to the contrary notwithstanding.

Some one circulated over my district a report that I ran a foot race in Washington in some kind of a contest and by so doing failed to discharge some of my duties as a Congressman. Let me say I never in my life ran a foot race in Washington or

in the District of Columbia. I remember running only one foot race during the last 25 years. Nearly 12 years ago, just after I came here, one Saturday afternoon when Congress was not in session I went down the Potomac River about 20 miles on a boat to Marshall Hall just across the river from George Washington's old home at Mount Vernon and found that the navy yard workers were having a picnic there. They were having a good time and among other amusements staged a fat man's race in which they wanted all men present, both laboring men and public officials, weighing over 200 pounds to take part. Another gentleman and myself weighing over 200 pounds and being over 40 years of age were called the old men. I was glad to act the boy again and joined in the race. The others were all younger and laughed at us until the race started. We outran the crowd and then the crowd laughed at the fat squabby young men. Evidently this is the foot race that was used as a basis for the report that has been circulated so long, that I engaged in a foot race to the neglect of my duty.

But unfair as this report is, it is not near so vicious as the statement that I devote nearly all my time to real-estate business when I have never devoted any time to my own private, personal, or financial affairs while the House was in session or to the neglect of any departmental or other official business. I have never spent as much time since I came to Congress in connection with property I have bought here as many Members spend playing golf or at shows every week. I have never been in the real-estate business here or elsewhere, and it has been seven years since I bought our home here and I have bought no land since. I give some real-estate men a commission to handle the little property we own here. I never at any time put a minute on the making of the trades or in connection with the property except when the House was not in session and there was no other official work to be done. I used in this connection only a few minutes a month, about seven years ago, when I found it necessary to leave off for a little while the steady grind of office work while the House was not in session. I have been able to average from 12 to 15 hours a day on the job attending to congressional business. The few minutes I spent seven or more years ago in connection with a little property was to a much better advantage than if I had spent it at a show or simply idled it away.

Since I have also been criticized for buying any property at all here, let me say that it is paying for itself and is now about half paid for. At present it is paying all expenses, gradually reducing the amount due on it, and paying about \$75 a month clear. It has been urged that this property kept me from sending more money to Georgia. This is also a mistake. More money has been borrowed here on this property and sent to Georgia than ever went on this property out of my salary. My friends in Georgia have been benefited financially rather than injured by the property here.

Some time ago while in Georgia I heard two more erroneous reports about the property which are answered by the statement just made. One statement was I had gone further in debt the full value of the property, and had paid nothing on it. Another was that I had put all my salary in property here and it was paid for in full. Both were, and are, wrong. I have put practically none of my salary into the property. It is not all paid, and neither is none paid. It is about half paid for, and is now paying for itself. The statement that I devote my time to real estate is the falsest of all.

Mr. Speaker, I have been up in an airplane twice since I came to Washington, once in 1919, and once with Lindbergh in 1929, 10 years later. It would be just as fair to say I spend all my time flying around, over Washington, in an airplane as it is just or right to say I devote my time to the real-estate business. I took both airplane trips while Congress was not in session.

May I repeat that for a long time I have ignored the various false reports that have been circulated but I find if I pass them without reply those who circulate them say they must be true as they are not denied. Therefore, in justice to my friends and myself, I must state the real truth concerning at least a few of these flagrant misrepresentations. Just in passing let me say I am sure the people of my district feel I sufficiently answered, two years ago, the many distorted and untrue statements which were then made concerning my financial affairs.

I feel it is my duty to make answer and payment to those who have trusted me and whom I owe, and I shall continue to do this until I am out if I live only a few more years and am not overcome by some great misfortune. Unless it again becomes necessary, I shall not make any further reply to those statements than was done by written statement about two years ago, which statement gave positive evidence of the truthfulness of my reply as contained therein.

Another most unfair criticism is the reports that were circulated to the effect that my brother Henry while my secretary

received pay from the Government without earning it. He was my secretary for a little more than a year out of the 12 years I have served. During the services of my first two secretaries of nearly seven years, like most Congressmen, I closed my Washington office upon adjournment of Congress, especially if I went home. My brother, even with a sick wife, spent practically all his time here while Congress was in session. It happened that both of my secretaries during this first seven years had sick wives or a sick child and visited Georgia on this account. No partiality was shown in behalf of Brother Henry. I managed the work as best I could for both secretaries while away and both drew their full salaries while away.

As a further evidence of the unfairness of this criticism and to show that I did not show my brother any courtesy I would not have shown a man no blood kin to me let me say my first secretary had a case of typhoid fever while with me and I managed the office as best I could for several weeks while he was ill and allowed him to draw his full salary of about \$10 per day, amounting to about \$600, during the time.

After Brother Henry served as my secretary for about a year I decided it was best for me to employ some one as secretary who could remain in Washington all the time so my office here could remain open all the year. I had the chance to secure the services of my present secretary, Mrs. Nanna Griffin Cross, of Valdosta, Ga., who had been in Washington doing departmental work for 25 years and knew more about the very kind of work a secretary does for a Congressman than either of my former secretaries or I could possibly know.

I talked to Brother Henry about the matter, and even though he appreciated the place of secretary he consented for the change, and I then appointed him as clerk and told him he would have to pay for all necessary clerical work needed by Mrs. Cross, my new secretary, or myself in Washington and help me while in Georgia in any way possible. This he agreed to, but was able to save practically nothing out of his salary. Ofttimes he was paying for the work of four or five persons here, and many months all his salary was insufficient to pay the clerical help here, and I had to pay part out of my own salary. So he asked me some time ago to make arrangements for all the clerical help to be paid here without any money passing through his hands as he would help me all he could free of pay rather than be abused by those trying to harm me politically. All criticisms lodged against him for the purpose of hurting me were most unfair. He deserves credit for standing ready at all times to make any necessary sacrifice in order to help me render the best possible service to my people.

Dozens of Congressmen here have told me of their experiences where they found it necessary to change secretaries, and in many cases the retiring secretary became the bitter enemy of the Congressman who had given him, for a long number of years, a job with a larger salary than he ever received before and probably larger than he would ever get again. This was not the case with Henry Lankford. He was true and loyal at all times and did not change when his pay stopped. I resent these criticisms of him. I can stand unfair criticism if it must come, and I prefer for it to be made of me directly rather than by abusing those that I love, who are near to me, and who at a personal sacrifice are loyal to me and the best interest of my people.

Another wholly unfounded charge is that for many years after I first came to Congress I would leave my office after only remaining in the office a few minutes each morning and go down town to deal in real estate. This is wholly untrue. It is true I stay in my office only a little while each morning, for after I check my mail over with my secretary I get busy with committee hearings and departmental matters which require every minute of my time until Congress meets at noon. Yes; I get out of the office just as soon as I can so as to devote every possible minute to matters that concern the World War veterans and people generally of my district. Ofttimes I spend many hours at the Veterans' Bureau on a single case and often do work on one case for which an average lawyer in the ordinary court case would charge five hundred to a thousand dollars.

Many people do not know the actual fact that the departments of Government are scattered all over town and are often 2 or more miles apart. When a person handles the business of his district personally and goes from one department to another without an automobile, as I do, walking most of the way, he gets plenty of physical exercise and does not find it necessary to go horseback riding or to play golf for exercise.

I am not boasting about doing my duty. I am only answering untrue charges. I am one of the very first of 435 Congressmen to reach my office of a morning and among the very last to leave at night, and am not afraid for any honest person in Washington or visiting Washington to tell the truth concerning the hours per day I put on my official duties. One thing I pride myself on, I repeat, is that I stay on the job and do my best.

It is so unfair for anyone to make false statements to the contrary. I do not play golf or attend any games that conflict with my work and I have neither the money nor time to go to the shows or movies. I have been to shows or movies four or five times during the last two years. I prefer to stay at my office and work rather than attend shows and other entertainments and, therefore, am able to do a lot of work that most Congressmen leave for their secretaries.

When people are practicing deception they eventually contradict themselves and out of their deception sometimes comes the truth. This has been true in the case of those criticizing me. My enemies have on several occasions disproved their own statements.

Oh, what a tangled web we weave,
When first we practice to deceive.

They have falsely said I do not work on the job as Congressman and yet the same people have said I even do a considerable amount of my secretarial work. They even had me working for about eight long hours on a typewriter on Sunday. Which, of course, is all wrong again. Some nights I work three or four hours on a typewriter, but I never worked eight hours on a typewriter on any one day since I came to Congress, and I never required anyone else, as my secretary or stenographer, to work that long continuously on a typewriter. This all shows how easy it is to take the truth and stretch it until it becomes false. I do considerable work most men would have done by a stenographer, and I work on Sunday in case of emergency. I have never objected to anyone doing work on Sunday for relief of those in distress or need. I am glad to write a letter or send a wire in response to many requests I get for speedy and urgent action. For instance, if I should get a wire on Sunday from a mother or father asking about a sick son in the Navy on the sea, I would do my best to get the news from the ship at sea and to the parent before the end of the day. I often on Sunday visit those from my district in Government hospitals. This is no reason though why there should be open desecration of Sunday in the Nation's Capital and no law providing for a reasonable Sunday observance.

When these objectors believe they can hurt me by saying I do not work, they give out statements that I do not stay on the job, and when they get the idea I can be injured by their saying I work overtime, they make exaggerated statements as to amount of work I do. How inconsistent they are. I now quote from the Washington News item as printed in CONGRESSIONAL RECORD of Sixty-ninth Congress, second session, page 6990, as follows:

LANKFORD does a great deal of his secretarial work personally, and hence the regular working week sometimes leaves little odds and ends to be cleaned up on the Sabbath.

As I have already said, I shall have this entire article reprinted and mailed out with these remarks. For this reason I shall not now quote further from this article.

It is now going the rounds in some of the newspapers that I am neglecting my other official duties and putting all my time on a Sunday bill for the District of Columbia and the Nation. This is an unfair, untrue, malicious statement. I have never at any time neglected the business of the people of my district to work on a general Sunday bill or any other general bill. I put first the legislation my people are directly interested in and put second all bills of a general nature. Let us face the facts again. During the last two years I have not spent two hours' time on Sunday legislation.

I introduced a Sunday bill, which I drew in a few minutes one night. There has been no hearing on it, and I spoke for only about five minutes on it last year. I am making these remarks now not so much to argue the merits of my Sunday bill as to tell the truth about some reports, originated largely by those who are fighting all Sunday legislation. There are hundreds of bills and matters I put much more time on than on proposed Sunday legislation.

This Congress was convened in extra session more than a year ago to pass farm-relief legislation. Both parties and every elected and defeated candidate for Congress had promised to put the farmer on an equality with industry. This pledge has not been kept, but I have done my best. I have presented a plan which will solve the farm problem and spoke in committees and on the floor of Congress for several solid hours on farm relief. I have probably made more speeches on farm relief during this Congress than any other man in the House, unless some man on the Committee on Agriculture exceeded me.

During this time until to-day I have not spent one minute in committees or in Congress talking about Sunday legislation. Where is the justice in anyone saying I am neglecting my other duties and putting all my time on Sunday legislations? During this time in which I have put no time on a discussion of Sunday

legislation I have made two of the most extended discussions yet made of the proposed canal across south Georgia and north Florida. Many have told me they are the best on this subject ever presented by anyone.

I respectfully submit it is very unfair to say I have devoted my time to Sunday legislation to the exclusion of the canal proposition. I here and now invite the Sunday haters with all their fellow haters of the Christian faith or Protestant Church and all their infidel associates to discuss Sunday legislation fairly and not simply sling mud and make ugly faces. I also courteously and respectfully ask those who honestly differ with me on other issues to please argue the merits of my farm-relief proposals or canal discussion or position and not try to put my eyes out with second-hand infidel mud and Sunday-hater dirt. Here again we have an illustration of the inconsistency of those that are striving to destroy Sunday as a day of rest and worship, and with its destruction work the downfall of the Christian religion.

Some are saying I am putting all my time on Sunday legislation to the exclusion of other matters, while others are jubilantly shouting that I am doing nothing in the move to save Sunday and to maintain faith of our children in the Bible of our mothers and the God of our fathers. Both of these contentions can not be true.

They are inconsistent and in fact neither are true. I never intend to abandon my faith in the Bible and its teachings as inculcated in me when a child by my Primitive Baptist parents, relatives, and friends in Clinch County, Ga., and I shall always do my bit in behalf of Sunday legislation and in support of proper Sunday observance.

I realize, though, that there is a time for all things, and I shall never neglect any one piece of legislation of vital importance to my people to work on some measure of general interest. I shall help all I can on Sunday legislation, but I have always let it be known that I can not work on this move or any other general program to the exclusion or neglect of all or any of my other congressional duties.

It so often happens that a good man will unconsciously do some one an injustice by repeating a false report without stopping to investigate the truthfulness of the charge. Many newspapers reproduce vicious propaganda which they do not have the heart to originate and which is in behalf of a cause repulsive to the honest conviction of the editor and management of the paper. This is done without the thought that they are helping to destroy that which they hold sacred.

I have on my desk now a paper which in one column asks why it is that on the very day 10,000 people passed by the bier of President Taft, the only President to become Chief Justice and thus the only man to hold the two highest offices in the United States, three times as many people in Chicago passed by the coffin of a notorious racketeer crook and criminal? May I suggest to the good man who is the editor of this paper that there are many causes direct and remote for the shocking fact mentioned by him. One cause is found in good newspapers like the one making the inquiry, reproducing and apparently vouching for propaganda of those who hold up to ridicule, contempt, and scorn all law and law enforcement officials, and who heroize the criminal, the profiteer, and those who would destroy our Bible, our Constitution, and our very national existence.

In the very newspaper which makes this inquiry, in the very next column, bordering on the particular inquiry, this same paper reproduces an unfair and untrue, mean dig or thrust at me, for fighting for the preservation of respect for the Bible, constituted authority, and our public officials, as well as our great common people. Mr. Editor, your question is answered in part in the adjoining column of your own paper.

Too many men either consciously or unconsciously are helping in the fight in behalf of those things that mean the undoing of our civilization and Government and are helping to create resentment against all that is highest and best in our national life. The editor to whom I have just been referring is one of my best friends, is one of the best men in the country, and stands for the very best interest of his Nation, and what I have just said is with the very greatest respect for my very dear friend. I am only attempting to show the great injury that may be done by passing along an unfair statement if we fail to check up its merits before giving it our approval.

I must hurry to a conclusion. I can not mention all the mean things that have been said about me by those who oppose Sunday legislation. I will mention enough to show how unfair they are.

Some may wonder why a Sunday bill should bring about such a bitter fight. I know and I will gladly name a few of the reasons. Any bill that seeks to interfere with a person's religion or lack of religion or in the least interferes with the effort of those seeking to destroy all faith in God or which bill bothers

anyone in making enormous profits in cash out of the public at once arouses a determined fight. My bill does not interfere with anyone's religion. It does, though, run counter to the ideas of those who would destroy all religion. Therefore I am bitterly fought by those who wish to commercialize Sunday and wish to desecrate the day in order to swell their movie, theater, dance hall, and other Sunday gate receipts. I am also bitterly fought by those who either hate the Christian faith or the Protestant belief or who, hating the Bible and its teachings, declare there is no God. Outside of these, there are very few who oppose all Sunday recognition. I have only sought reasonable Sunday legislation for the Nation's Capital.

A newspaper recently said I had the right to neglect my other congressional duties and put all my time on Sunday legislation if I wished, but that I could not be defeated, because I was born in a log house and learned to crawl on a clay floor. The first part of this statement is wrong, for two reasons: First, I do not claim the right to put all my time on any one class of legislation, and second, I do not have the right to put an unreasonable amount of time on any general measure.

I have always put only such time on Sunday legislation and other similar bills as is entirely consistent with full and proper performance of my fullest duty in other legislative and departmental matters. As to the jab about my being born poor—so far as property is concerned, let me say that it is probably indirectly true that I got many votes because I was born in humble circumstances, was raised that way, and, God being my helper, shall always live with and for the common people. I do not get and keep my friends solely because I was born in a log house, learned to crawl on a clay floor, and plowed with an ox, but because these things made my heart right with the greatest and best people on earth—the common folks.

To my way of thinking, the greatest compliment ever paid me is by those who have made almost every imaginable unfair criticism of me but do not endeavor to show that I have ever been untrue to little children or their fathers and mothers or to the laboring man, the farmer, or to the common folks of our Nation.

Surely some weak place could be found by these eagle-eyed, persistent enemies in the thousands upon thousands of things in a legislative and congressional way I have done since I came here unless I have been true and steadfast in my heartfelt determination and purpose to serve to the very best of my ability. By their silence on my official record they unwittingly put their stamp of approval upon thousands of votes, bills, speeches, remarks, and other official acts, every one of which shows and reflects my very heart throbs for the right.

God knows I have tried to do right; my friends say I have kept the faith and my enemies dare not attempt to show by fair discussion where I have been false. It must be my humble honest beginning started me right and that I am still fighting for those among whom I was raised and whom I love.

Another criticism on a parity with the one I have just mentioned is that I first came to Congress "astraddle an old ox" and that I ride that same ox into Congress every two years. If by this they mean that I keep my feet close to the ground, my hands ready to serve, my head humbly bowed in appreciation, and my heart with the common people, then I accept the compliment. He who served as no one ever served before or since was born in a manger with cattle gathered about Him and rode not in a chariot but on the back of a lowly beast of burden. "He that humbleth himself shall be exalted." If we had more ox riders in Congress, we would have more wholesome legislation for the common people.

I prefer to come to Congress on the back of an honest ox rather than in the finest car, with negro caddies, golf sticks, and golf balls stuffed around me. And, by the way, the man who made the accusation about the old ox would be glad to pay a whole lot of boot and swap his knee breeches golf suit, golf balls, golf sticks, negro caddy, and all for that old ox, if he only could. But the ox I plowed is dead and the figurative ox they say I still ride is not for sale. I am not ashamed of either and I am firm in my belief that true legislation for the laboring man, the farmer, and the common people will spring more readily from the mind of the poor man "astraddle an old ox" rather than from the idle rich chasing a golf ball.

I again state that I would not discuss these personal criticisms except that I feel it is best to call attention to the purpose to fight me by anything and everything except a fair and reasonable discussion of my real, printed, official, authentic record.

I must mention just one more unfair, untrue, general criticism to the effect that I do not make the speeches I mail out. It has even been said that during the first five years I was in Congress I never spoke over three minutes at any one time. Again I appeal to the official CONGRESSIONAL RECORD for the pur-

pose of showing that this charge is without foundation and that it and other kindred charges are false.

I took my first oath of office as a Member of Congress on May 19, 1919, and just 11 days thereafter, on May 30, 1919, that great Democratic statesman, Champ Clark, of Missouri, yielded me 10 minutes, which I used in a memorial address on the services of our American forces in the World War. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, page 454.

While the Esch-Cummins Act was being considered on July 1, 1919, I offered an amendment to protect the rights of the cities, counties, and States of our country, and on the floor entered into a full discussion of my proposal. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 2220-2221.

On July 19, 1919, just two months after I began my first service, while the Volstead Prohibition Act was being considered, I offered and secured the adoption of an amendment protecting bona fide lien holders on automobiles and other carrier vehicles. I discussed the amendment fully on the floor of Congress. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 2902 and 2903.

During the course of this debate Congressman Gard, of Ohio, a Democrat and a lawyer of recognized ability, in speaking of my amendment used the language which appears in the RECORD of Sixty-sixth Congress, first session, page 2903, as follows:

MR. GARD. Mr. Chairman, I desire to say, first, that I think the amendment offered by the gentleman from Georgia [Mr. LANKFORD] is the most lucid amendment and expressed in the best legal phrasing of any amendment offered during the consideration of this bill. [Applause.] It should be adopted because it stands for justice, and stands for the right of a man having an honest interest in property to assert that lien in a court of competent jurisdiction wherever such property may be.

On August 13, 1919, Mr. MCCLINTIC of Oklahoma yielded me 12 minutes and later 2 minutes more to oppose a tariff on potash, and during my discussion I yielded to Mr. POT, of North Carolina; Mr. DAVIS, of Tennessee; and Mr. DENISON, of Illinois. See CONGRESSIONAL RECORD, Sixty-sixth Congress, first session, pages 3848-3849.

Here is official record of four speeches all much more than three minutes long, all during my first three months in Congress and on most important subjects and yet there are people who are willing to make the statement that I never made a single speech over three minutes long during my first five years' service. I have never tried to be the most noisy Member here, but I have made many more speeches on the floor than the average Member. I have remained quiet when I thought best to keep my mouth shut. When I felt I could help my people by talking I have done so, if I could get the floor. If I could not get time, I filed my remarks for printing in the RECORD and made a speech later, if necessary.

I have only covered a 3-months' period. The RECORD shows that I have made many speeches ranging in length from five minutes to an hour or more every session of Congress. The thing that puzzles me is why anyone will make statements in direct conflict with truthful, authentic, official court records or CONGRESSIONAL RECORDS. The speeches I have just referred to were actually delivered and must not be confused with remarks and statements which all Members of the House and Senate from time to time have printed in the RECORD without delivery. The RECORD speaks the truth and shows which are extensions and which are addresses.

It is not my purpose at this time to enter into a discussion of the hundreds, yea, thousands of things I have said and which are in the RECORD. No one so far has seen proper to attack my position on various important matters as shown by the RECORD. I only am doing what I have hoped would not become necessary. I am answering a few of the unfair criticisms others have made.

In conclusion let me say I want to state specifically that I want no one to get the idea that I am either directly or indirectly criticizing either Dr. Adrian D. Williams, of Folkston, Ga., or Hon. Braswell Deen, of Alma, Ga., the two gentlemen who have stated their purpose to oppose me in the Democratic primary this year. Both are gentlemen of the highest type, and I am convinced that neither would attempt a campaign or any other undertaking except upon a high and honorable plane. Their past record justifies and prompts me to say this in their behalf.

I have been in Congress more than 10 years. I have done my best even if I have not always succeeded. No one gets all he hopes for in a legislative way. I have been in many interesting fights. I can not discuss them all now. Before concluding I want to refer to one fight I am still waging with the help of my friends and also one we have won. I took an active part in both when I first came here. One was against a tariff on potash and the other was for a canal across southern Georgia

and northern Florida. Several have said I am only seeking a survey of a canal across the northern part of my district for political purposes this year. Another said I did not let anyone know I favored such a scheme before my last election.

Let me again appeal to the CONGRESSIONAL RECORD of more than 10 years ago. I quote from the RECORD of Sixty-sixth Congress, second session, page 3192, of February 20, 1920, as follows:

MR. SISSON. Mr. Chairman, I yield to the gentleman from Georgia [Mr. LANKFORD].

MR. LANKFORD. Mr. Chairman, there are now pending for consideration by this Congress bills for two canals affecting my district in Georgia.

One of the proposed canals—the St. Marys-St. Marks—begins at Cumberland Sound on the Atlantic Ocean near St. Marys in my district, proceeds along the border of Camden and Charlton Counties, through the Okefenokee Swamp, possibly touching the counties of Ware and Clinch in the Okefenokee Swamp, and thence into Florida to the Gulf of Mexico. The other canal—the Altamaha-Apalachicola Canal—would use the harbor at Brunswick, Ga., in my district, as the Atlantic terminal and would proceed along the Altamaha and Ocmulgee Rivers, bordering on the following counties in my district, to wit: Glynn, Wayne, Appling, Jeff Davis, Coffee, and across near Cordele to Flint River and down Flint to Apalachicola River and to the Gulf. This canal would be in close touch with every county in my district and within easy access by motor truck and railroad with every community in the eleventh district. The Altamaha-Apalachicola Canal would help not only my district, but would touch about 25 south Georgia counties and would do more to improve all of south Georgia than has ever been done by an improvement.

One of the battles which we gained was against a tariff on potash, an important ingredient in fertilizer.

I have already referred to the speech which I made soon after I came here against this unjust tax. I made another on October 2, 1919, in time yielded me by that great patriotic debater and Democratic leader, Hon. Claude Kitchen, of North Carolina.

I shall not now quote from either of these speeches, but hope to have the type of at least one reset and the speech reprinted for mailing to my people with these remarks.

I am anxious to keep my people fully advised as to my services here, and beg that I be judged by my official record and by my actual service to the people of my district and Nation.

PROPOSED AMENDMENT TO AGRICULTURAL MARKETING ACT

MR. GLOVER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on a bill which I introduced a few days ago.

THE SPEAKER. Is there objection?

There was no objection.

MR. GLOVER. Mr. Speaker, ladies and gentlemen of the House, the first bill introduced in the first session of the Seventy-first Congress was H. R. 1, an act to establish a Federal Farm Board to promote the effective merchandising of agricultural commodities in interstate and foreign commerce and to place agriculture on a basis of economic equality with other industries.

The bill was sponsored by the administration and was in many respects a good bill as far as it went, but it did not go far enough to be effective on many of the commodities of agriculture.

The first section of this bill declares the policy of legislation, and reads as follows:

That it is hereby declared to be the policy of Congress to promote the effective merchandising of agricultural commodities in interstate and foreign commerce so that the industry of agriculture will be placed on a basis of economic equality with other industries, and to that end to protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their food products—

(1) By minimizing speculation.

(2) By preventing inefficient and wasteful methods of distribution.

(3) By encouraging the organization of producers into effective associations or corporations under their own control for greater unity of effort in marketing and by promoting the establishment and financing of a farm-marketing system of producer-owned and producer-controlled cooperative associations and other agencies.

(4) By aiding in preventing and controlling surpluses in any agricultural commodity, through orderly production and distribution, so as to maintain advantageous domestic markets and prevent such surpluses from causing undue and excessive fluctuations or depressions in prices for the commodity.

(b) There shall be considered as a surplus for the purposes of this act any seasonal or year's total surplus, produced in the United States and either local or national in extent, that is in excess of the requirements for the orderly distribution of the agricultural commodity or is in excess of the domestic requirements for such commodity.

(c) The Federal Farm Board shall execute the powers vested in it by this act only in such manner as will, in the judgment of the board, aid to the fullest practicable extent in carrying out the policy above declared.

It was declared to be the policy of the Government to place the industry of agriculture on a basis of economic equality with other industries, and to that end to protect, control, and stabilize the currents of interstate and foreign commerce in the marketing of agricultural commodities and their production.

This section further provides that it is the policy of the Government to minimize speculation. Webster defines "minimize"—

To reduce to the smallest possible amount or degree.

Subsection c of section 1 reads as follows:

The Federal Farm Board shall execute the powers vested in it by this act only in such manner as will, in the judgment of the board, aid to the fullest practicable extent in carrying out the policy above declared.

So from this legislation we see, as was stated on the floor of this House by me when the bill was up for consideration, that the success or failure of this legislation depends upon the board and the policy they pursue or adopt.

As I see it, one of the weaknesses of this bill is that it did not designate by law a course of procedure to be followed by the board in dealing with some of the commodities. There are some commodities of agriculture that are wholly different from the others and must be dealt with by different procedure altogether from that of dealing with the others.

Cotton is the largest agricultural crop and one on which the success or failure of the United States in a financial way depends more than any other. It seems to me that it is the easiest commodity raised by a farmer to stabilize and control, because it is not of a perishable nature and will keep for many years if properly protected. No two crops of cotton that have ever been grown in the past were the same. It ranges from ten to eighteen million bales per year in the United States. The actual consumption is around 16,000,000 bales, and the new uses for cotton coming in and increasing all the time.

If this commodity could be stabilized and orderly handled it would always be a profitable crop both to the producer and the consumer.

The size of the cotton crop never has regulated the prices of cotton and never will as long as we have speculations and gambling on it as we have now. To substantiate that statement let us take the record of the production of cotton and prices since 1922.

In 1922 the United States produced 9,760,000 bales of cotton which brought an average price of 25.94; in 1923 the United States produced 10,140,000 bales of cotton which brought an average price of 30.40; in 1924 we produced 13,627,800 bales which brought an average price of 22.60 cents per pound. In 1925 we produced 16,103,000 bales of cotton which brought an average price of 18.20; in 1926 we produced 17,977,000 bales of cotton which brought an average price of 10.90; in 1927 we produced 12,955,000 bales of cotton which brought an average price of 19.60; in 1928 we produced 14,373,000 bales of cotton that brought an average of 18 cents, and in 1929 we produced 13,000,000 bales plus, at an average price of 15 cents per pound.

Or, in other words, during the 8-year period we produced 106,935,800 bales. Then taking the price paid each year during the 8-year period and dividing it by 8 we have an average price paid for cotton during the 8 years of 20.8 per pound, and the price ranging from 10.90 to 30.40 per pound.

Any man that will take these figures and study them for a moment will know that there is no justification for such a condition as this to prevail. Practically all of the cotton that has ever been raised in the world has been consumed and will continue to be consumed as long as time lasts. The increased production will be offset by the increased uses for this commodity.

Population of the world is rapidly increasing and will continue to increase. Their wants and needs for cotton for the making of cloth and for the uses to which it is put and the increased uses will about keep pace with the increased production.

The purpose of the bill passed by this Congress known as the agricultural marketing act, as stated above, declared in subsection 1 that one of its purposes was to minimize speculation, and we have found that to minimize means to reduce to the smallest possible amount or degree. If speculation and gambling in futures were minimized, or reduced to its smallest possible degree, it would be obliterated altogether.

No reasonable man objects to lawful buying and selling of this commodity the same as any other article of merchandise

that is produced. It is estimated that about 128,000,000 bales of cotton that never did exist and never will exist were bought and sold on a gambling market during last year, when only 13,000,000 bales were actually produced and could have been delivered under any conditions.

There is nothing wrong in a producer of cotton selling the same on a future market for a stipulated price and to be delivered on that price. That is legitimate trading. But when it comes to buying and selling on a gambling market more than 1,000,000 bales of cotton that never did exist and could not possibly be produced, and which never was intended to be delivered, and which has always been the downfall of the production of cotton, it ought not to be permitted by the Government.

The Federal Farm Board is now taking the position and advocating an amendment to the cotton futures act passed in 1916 by Congress. The Lord knows they could make it very little worse than what it is by amendment, but they will never bring justice to the producer of cotton by a speculative scheme as set up by that character of legislation.

Gambling in futures is either inherently wrong or it is right. I take the position that it is inherently wrong; that it is unjust and should be prohibited by the severest penalty of law. A wrong should be abolished and not regulated.

The agricultural marketing act passed and which is now a law authorizing the establishment of stabilization corporations to be authorized by the Federal Farm Board and to function at their will and command. The figures cited above show clearly and conclusively that what cotton needs is stabilization.

The producer of cotton and the manufacturer of cotton are each put to a great disadvantage under the existing conditions. The farmer does not know when he plants his cotton whether to expect 10 cents per pound or 30 cents per pound; he does not know whether to enlarge his efforts or decrease them; and he is left to grope his way in the dark and finally have some fellow, when he grows his crop, to tell him what it is worth.

The spinner that wants to buy cotton and make his contract for delivery of the manufactured product is equally left in the dark, because he does not know what the gambling market is going to be; whether it will be high or low. So in making his contract for delivery of the manufactured product in order to play safety first and protect himself he sells the manufactured product high for future delivery, not knowing what he is going to have to pay for the cotton. If the spinner knew what would be a stabilized price on cotton, then he could afford to make his contract of delivery of the manufactured cloth possibly for much less than he now does and by reason of conditions that exist and are permitted under the law.

There is no question in my mind that the solution to the cotton question is stabilization. I introduced on April 3, 1930, H. R. 11369, to amend the agricultural marketing act, approved June 15, 1929, so as to fix a loan price on cotton and thus stabilize, as nearly as possible, its price.

The agricultural marketing act authorized an appropriation for use by this board of \$500,000,000 for stabilizing and marketing. Anyone who has ever dealt in cotton knows that cotton is one of the best securities that has ever been known to the South.

It can be made very much better security by the proper handling and stabilizing of this commodity.

A careful study should be made of the actual cost of the production of cotton and carry out the purpose as expressed in section 1 of the agricultural marketing act, which declares in its first declaration that it is hereby declared to be the policy of Congress to promote the effective merchandising of agricultural commodities in interstate and foreign commerce so that the industry of agriculture will be placed on a basis of economic equality with other industries, and to that end to protect and stabilize the currents of interstate and foreign commerce in marketing agricultural commodities and their food products.

Section 1 of H. R. 11369, introduced by me, reads as follows:

That it is hereby made the duty of the Federal Farm Board in furtherance of section 1 of the agricultural marketing act, approved June 15, 1929, to make a careful study of the cost of production of cotton so that a stabilized price may be fixed for this commodity as a basis for loan; and for the purpose of correctly determining the cost of production of cotton the board shall hear testimony of farmers actually engaged in raising cotton, and shall take into consideration in determining the cost of production of cotton the value of lands, stock, farming tools, machinery, labor, seed, and all other elements of cost that are incurred in its production so that the industry of agriculture and those engaged in cotton raising will be placed on a basis of economical equality with other industries, and the board shall fix a stabilized loan price equal to the cost of production. The stabilized price shall not be less than 20 cents per pound, and the board is hereby authorized to make

loans out of the revolving fund on cotton equal to the stabilized price when so fixed by said board.

You will note that this section provides for a careful study of the production of cotton so that a stabilized price may be fixed for this commodity as a basis of loan. This section provides that the Federal Farm Board shall hear testimony of farmers actually engaged in raising cotton and shall take into consideration in determining the cost of production of cotton the value of the lands, stock, farming tools, machinery, labor, seed, and other elements of cost that are incurred in its production, so that those engaged in cotton raising will be placed on a basis of economic equality with other industries.

The bill further provides that the stabilized price shall not be less than 20 cents per pound, and the board is authorized to make loans on cotton equal to the stabilized price.

Anyone who has ever produced cotton and who knows the cost of production giving a reasonable return for the labor invested in it knows that it can not be produced for less than 20 cents per pound.

The great trouble with the hearings that have been had for agriculture, as shown by the records, is that the most of the testimony comes from some editor of an agricultural journal or from the head of some college and very little, if any, comes direct from the man who knows and can testify from actual experience. Many of those referred to above are wise in their way and in their theory, but they know but little from practicable experience. We doubt if some of them could bridle a mule, let alone plow, after it was hitched up.

If cotton was stabilized at 20 cents per pound, then everyone producing it would know what to depend upon and it would be placed upon a sound and economic basis with other industries.

Section 2 of the act introduced by me, above referred to, reads as follows:

The board is hereby authorized and empowered, in case an attempt is made to corner or to unlawfully control cotton so as to fix and control the price thereof to the detriment of the producer of said cotton and to prevent the gambling in futures on cotton, to adopt such means as are necessary to prevent same by purchasing a sufficient number of bales of cotton to prevent a corner or unlawful control of said commodity, so that the same may be marketed in an orderly way.

If this was the law now the board could put out of commission each gambling exchange in the United States at once, which should be done.

One of the weaknesses of the agricultural marketing act is the lack of inducement to get farmers into an organization. It is a known fact to every thinking man that if you are going to control the price of a commodity you must first be able to control the commodity itself.

Section 3 of the bill introduced by me, as above referred to, reads as follows:

The Federal Farm Board is hereby authorized to loan to any person, persons, associations, or corporations engaged in growing cotton, out of the revolving fund at a rate of interest not to exceed 4 per cent per annum, on cotton grown and stored to an amount equal to the value of the commodity on the open market at the time the loan is made or the stabilized price fixed by the board and retaining a lien on said cotton to secure the payment of said loan, and said loan or loans shall not be made until said commodity on which a loan is to be made is placed in the storage, or storages, to be designated, built, rented, or leased by said board; and said board is hereby authorized to build, rent, or lease sufficient storage and in places convenient and acceptable for the use of storing cotton on which a loan is made, and when said loan is collected it shall be placed back in the revolving fund.

(a) It shall be the duty of the Federal Farm Board to protect said cotton so stored on which a loan is made by carrying insurance on same to the amount of the loan and to insure same against decline in price.

(b) Said loan may be made by said board for a definite period and may be renewed from time to time as agreed to by said board and the owner or owners of the cotton so stored.

(c) When cotton is so stored and a loan is made it shall be sold by said board on demand in writing by the owner, if said cotton will bring on the market an amount in excess of the loan and cost of marketing same, and the difference in the amount due said board for said loan and for insuring and handling same and the selling price shall be immediately turned over after said sale to said owner.

If this section was the law now, then every man producing a bale of cotton, whether he was a member of an organization or not, could place his cotton into the control of those marketing the entire crop and he would be paid the value of the cotton at the time it was placed in and could not possibly lose anything himself, and would give the entire control of cotton over to the marketing agency; and having control of the larger part of the production, could necessarily sell it for much more than a single individual could sell it for. Then, after the cost of handling of

that bale of cotton was paid, the farmer placing it there would get the profit made after handling it.

Section 4 of the bill introduced by me reads as follows:

It is hereby made the duty of the Department of Agriculture receiving reports on cotton-crop conditions and ginner's reports and the other information helpful to the Farm Board in the discharge of its duties to speedily disclose such information to the Farm Board, and said board shall treat such information as confidential and shall not publish the same until authorized by the Agricultural Department and said board jointly.

The ginner's reports and other information that has been gathered by the Government and furnished to those speculating in cotton has been more help to the speculator than to the producer. This information ought to be gathered by the Government, but should be kept by the Government and used for the benefit of the producer and not in favor of the speculator.

When this question is finally settled, and settled right, it will be on this plan of stabilizing this great world commodity.

SALE OF COLUMBIA ARSENAL PROPERTY, MAURY COUNTY, TENN.

The SPEAKER. The Clerk will call the Consent Calendar.

The first business on the Consent Calendar was the bill (H. R. 2156) authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I have an amendment, which I understand is acceptable, which simply provides that the entire amount to be paid is to be covered into the Treasury of the United States without deduction of any expense.

Mr. ESLICK. Mr. Speaker, that is perfectly satisfactory to me.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell to and to make proper deed of conveyance to the Columbia Military Academy, a corporation organized under the laws of the State of Tennessee, all of the title, interest, limitations, conditions, restrictions, reservations, and rights owned and held by the United States of America as defined in Public Act No. 152 of the second session of the Fifty-eighth Congress and in the deed of the United States of America to the lands conveyed therein to the Columbia Military Academy, of record in book No. 105, volume 4, page 495, in the register's office of Maury County, Tenn. Said limitations, conditions, restrictions, reservations, and rights are defined in said public act and deed as follows:

"That the Secretary of War shall be a visitor to said school, and have and exercise full rights of visitation, and he shall have the right and authority in his discretion, as the public interest requires, to prescribe the military curriculum of said school, and to enforce compliance therewith, and upon refusal or failure of the authorities of said school to comply with the rules and regulations so prescribed by the Secretary of War, or the terms of the act, he is authorized to declare that the estate of the grantee has terminated and the property shall revert to the United States, and the Secretary of War is authorized thereupon to take possession of said property in behalf of the United States, and shall further reserve to the United States the right to use such lands for military purposes at any time upon demand of the President of the United States."

Said lands to which said limitations, conditions, restrictions, reservations, and rights attach are described as situated in the ninth civil district of Maury County, Tenn., and were formerly used as an arsenal and known as the Columbia Arsenal property, the same comprising about 67 acres, more or less, and generally bounded by the Hampshire Pike, the Louisville & Nashville Railroad, the Mount Pleasant Pike, and a public road connecting the two pikes above named.

All of said limitations, conditions, restrictions, reservations, and rights of the United States of America, whether legal or equitable, vested or contingent, in and to said lands as specified and defined in said public law and deed and belonging to the United States of America will pass to the purchaser under the sale herein authorized.

SEC. 2. The Secretary of War shall accept the bid of the Columbia Military Academy, a body corporate, to purchase the rights of the United States of America in and to said property hereinabove defined, said bid being for the sum of \$10,000, and to be paid in cash.

SEC. 3. That the proceeds of said sale shall be deposited in the Treasury to the fund known as the military post construction fund, after first paying the expenses, if any, of said sale.

SEC. 4. Public Law No. 542, Seventieth Congress (H. R. 12479), is hereby repealed.

Mr. LAGUARDIA. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 3, line 21, after the word "that," strike out the words "the proceeds of said sale," and insert "the said sum of \$10,000," and in line 23, after the word "fund," insert a period and strike out the balance of the paragraph.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

COMPACT BETWEEN COLORADO AND WYOMING

The next business on the Consent Calendar was the bill (H. R. 202) granting the consent of Congress to compacts or agreements between the States of Colorado and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, the gentleman from Colorado [Mr. TAYLOR] is not here, and there are other Members who are interested in this matter. It is their desire and mine as well that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SUSPENSION OF THE RULES

Mr. GARNER. Mr. Speaker, would it be convenient at this time for the Speaker to let the membership know if the Speaker intends at any time to-day to suspend the rules for the passage of bills by unanimous consent?

The SPEAKER. The Chair will state that he has two suspensions in mind to-day. The first is the bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women and for other purposes, which he expects to recognize about quarter past 3, and following that, the bill (H. R. 11704) to amend the air mail act, to encourage commercial aviation, and so forth. So far as the Chair knows, these will be the only two bills on which motions will be entertained for suspension of the rules.

MEMORIAL BUILDING AT CHAMPOEG, OREG.

The next business on the Consent Calendar was the bill (H. R. 7983) to authorize the construction of a memorial building at Champoeg, Oreg.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, in the absence of the gentleman from Oregon [Mr. HAWLEY], I will ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LATE CLAIMS AGREEMENT

The next business on the Consent Calendar was the bill (H. R. 8881) to carry out the recommendation of the President in connection with the late-claims agreement entered into pursuant to the settlement of war claims act of 1928.

There being no objection to its consideration, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the settlement of war claims act of 1928 is amended by adding at the end thereof the following new subsection:

"(k) The amounts deducted under subsection (e) of this section from payments on account of the awards of the Mixed Claims Commission, United States and Germany, rendered under the agreement between the United States and Germany of December 31, 1928 (entered into under the authority of subsection (j) of this section), shall be available for reimbursing the German Government on account of the expenses incurred in connection with the adjudication by the commission of claims under such agreement, and the Secretary of the Treasury is authorized and directed to pay the amounts so deducted to such representative of the German Government as the Secretary of State may designate."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

PATENTS LICENSED TO THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 9142) to extend the jurisdiction of the arbiter under the Settlement of War Claims Act to patents licensed to the United States pursuant to an obligation arising out of their sale by the Alien Property Custodian.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, I have no objection, but this is a very important bill, and in the absence for the time being of the gentleman from Oregon [Mr. HAWLEY] I will ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PENSIONS TO CREWS OF VESSELS OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 6997) granting pensions to the crews of vessels owned or chartered by the United States and engaged in the transportation of troops, supplies, ammunition, or materials of war during the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Reserving the right to object, Mr. Speaker, in the absence of the gentleman from California [Mr. WELCH] I ask unanimous consent that this bill be passed over without prejudice.

Mr. LAGUARDIA. Will the gentleman permit this bill to be considered with certain amendments, or is his request simply for the purpose of defeating it?

Mr. COLLINS. I thought it would be a good idea for it to go over in the absence of the gentleman from California.

Mr. LAGUARDIA. I have no objection to that.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE STAR-SPANGLED BANNER

The next business on the Consent Calendar was the bill (H. R. 14) to make The Star-Spangled Banner the national anthem of the United States of America.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. I object.

The SPEAKER. This bill requires three objections. The Chair notes one. This bill has been objected to once before. Is there objection to its present consideration?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the poem written by Francis Scott Key entitled "The Star-Spangled Banner," with music by John Stafford Smith, be, and the same is hereby, declared to be the national anthem of the United States of America and under its care and protection.

With a committee amendment as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

REPEAL OF OBSOLETE STATUTES

The next business on the Consent Calendar was the bill (H. R. 10198) to repeal obsolete statutes and to improve the United States Code.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object.

Mr. COLLINS. If the gentleman will permit me to make a suggestion, I will say I have carefully checked all these laws that are proposed to be repealed, and with the exception of one, which the gentleman will find on page 23 of the report—

Mr. LAGUARDIA. I have that marked, too.

Mr. COLLINS. We ought to repeal both sections (a) and (b).

Mr. LAGUARDIA. I think so. It occurs to me that would be a wise thing to do. If we consider any of them in the absence of the gentleman from Ohio [Mr. FITZGERALD], it seems to me we ought to pass this over.

Mr. JENKINS. The gentlemen appreciate the fact that this work has been done by the gentleman from Ohio [Mr. FITZGERALD]. We all know how industriously my colleague from Ohio [Mr. FITZGERALD] has worked on this codification. The gentleman knows that he is an expert on this subject.

Mr. LAGUARDIA. Yes.

Mr. JENKINS. I suggest that it be passed over and taken up when he returns.

Mr. LAGUARDIA. I think that is a good suggestion.

Mr. STAFFORD. We can not establish that practice. The gentleman should be here now.

Mr. LAGUARDIA. It is a very unusual bill.

Mr. STAFFORD. It is an unusual bill. The gentleman will have another day in court, two weeks hence.

Mr. LAGUARDIA. The gentleman from Colorado has also given this a great deal of study. We are referring to "43 Stat. 116, section 2." We are inclined to agree with Mr. McClellon that "(b)" should also be stricken out.

Mr. COLLINS. He is the gentleman who has been doing the checking for this committee and is a very excellent lawyer.

Mr. EATON of Colorado. Then does the gentleman suggest that (b) should be added to this bill?

Mr. COLLINS. Yes.

Mr. EATON of Colorado. There would be no objection on the part of the committee.

Mr. COLLINS. I misstated it. "(a)" should be added. "(b)" is sought to be repealed now.

Mr. LAGUARDIA. And we should add "(a)"?

Mr. COLLINS. "(a)" should be added, on page 3 of the bill.

Mr. LAGUARDIA. On page 3, where appear the words "U. S. Code," there should be added "(a)" and "(b)."

Mr. COLLINS. I do not know whether the gentleman from New York [Mr. LAGUARDIA] is reading at the right place or not. The amendment should be added at this point, "43 Stat. 116, section 2, act of May 9, 1924, c. 150, Title 43, sec. 384 (b)." Just before "(b)" should be added "(a) and." It should read "(a) and (b)."

Mr. LAGUARDIA. That is not sufficient. A corresponding section will have to be in the statute with paragraph (a) in the United States Code. Paragraph (a) is the code reference, but there is a corresponding paragraph in the statute; and if the gentleman has not that citation, it can not be amended at this time, so it should go over.

Mr. COLLINS. Why not strike out that particular paragraph of the bill and allow the other laws to be repealed?

Mr. LAGUARDIA. And let this go to the next bill?

Mr. COLLINS. Yes. Let the line beginning at "43 Stat." be eliminated entirely.

Mr. EATON of Colorado. There is no objection to striking that out.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, with the understanding there will be stricken out one statute which is not to be repealed until an opportunity can be had to check up the proper citation, there will be no objection.

Mr. COLTON. Mr. Speaker, further reserving the right to object, will the gentleman from Colorado [Mr. EATON] state whether the sections relating to lands in the Interior Department were eliminated from the bill?

Mr. EATON of Colorado. Every section that was the subject of complaint was eliminated from the bill. Those that are remaining in the bill are not subject to any type of controversy.

Mr. LAGUARDIA. They were all checked up on both sides. I withdraw the reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

To repeal obsolete statutes and to improve the United States Code

Be it enacted, etc., That the following obsolete sections and parts of sections of the Revised Statutes and Statutes at Large are hereby repealed:

Statutes (Stat. or R. S.)	U. S. Code
R. S. 162	Title 5, sec. 26.
R. S. 196	Title 5, sec. 107.
12 Stat. 595, sec. 6, act of July 2, 1862, c. 130	Title 7, sec. 306.
R. S. 1156	Title 10, sec. 182.
R. S. 1243, first sentence	Title 10, sec. 941.
39 Stat. 308, fifth complete paragraph, act of July 1, 1916, c. 209	Title 16, sec. 42.
34 Stat. 832, sec. 3, resolution of June 11, 1906, No. 27	Title 16, sec. 50.
29 Stat. 308, third complete paragraph, act of July 1, 1916, c. 209	Title 16, sec. 55.
40 Stat. 152, fifth paragraph, act of June 12, 1917, c. 27	Title 16, sec. 106.
32 Stat. 203, sec. 3, act of May 22, 1902, c. 820	Title 16, sec. 123.
32 Stat. 765, secs. 3 and 4, Act of Jan. 9, 1903, c. 63	Title 16, secs. 143, 144.
36 Stat. 1421, second sentence of seventh complete paragraph, act of Mar. 4, 1911, c. 285	Title 16, sec. 180.
R. S. 2463	Title 16, sec. 597.
20 Stat. 470-471, secs. 1 and 2, act of Mar. 3, 1879, c. 189	Title 16, secs. 598, 599.
28 Stat. 814, act of Mar. 2, 1895, c. 182	Title 16, sec. 600.
R. S. 2052	Title 25, sec. 26.
27 Stat. 120, first proviso, act of July 13, 1892, c. 164; 30 Stat. 573, first proviso, act of July 1, 1898, c. 545	Title 25, sec. 27.
R. S. 2056, as amended by 22 Stat. 87, act of May 17, 1882, c. 163	Title 25, sec. 28.
R. S. 2060	Title 25, sec. 30.
R. S. 2061	Title 25, sec. 38.
R. S. 2080	Title 25, sec. 72.
R. S. 2083	Title 25, sec. 91.
R. S. 2084	Title 25, sec. 92.
35 Stat. 71, first complete paragraph, except the second proviso, act of Apr. 30, 1908, c. 153	Title 25, sec. 94.
35 Stat. 73, third proviso, act of Apr. 30, 1908, c. 153	Title 25, sec. 103.
R. S. 2098	Title 25, sec. 126.
R. S. 2100	Title 25, sec. 127.
18 Stat. 424, last clause of seventh paragraph, act of Mar. 3, 1875, c. 132	Title 25, sec. 129.
37 Stat. 496, act of Aug. 24, 1912, c. 367	Title 30, secs. 111-113.
R. S. 3482	Title 31, sec. 208.
24 Stat. 402, sec. 3, act of Feb. 12, 1887, as amended by 34 Stat. 450, sec. 3, act of June 22, 1906, c. 3515	Title 32, sec. 32.
34 Stat. 1174, last paragraph, act of Mar. 2, 1907, c. 2511	Title 32, sec. 34.
43 Stat. 606, sec. 9, act of June 7, 1924, c. 316	Title 33, sec. 425.
R. S. 1413	Title 34, sec. 141.
R. S. 1414	Title 34, sec. 142.
R. S. 1415	Title 34, sec. 143.
R. S. 1438	Title 34, sec. 144.
R. S. 1439	Title 34, sec. 145.
30 Stat. 1007, sec. 11, act of Mar. 3, 1899, c. 413	Title 34, sec. 391.
34 Stat. 554, second complete paragraph, act of June 29, 1906, c. 3590	Title 34, sec. 392.
35 Stat. 753, last paragraph, act of Mar. 3, 1909, c. 255	Title 34, sec. 393.
33 Stat. 349, last paragraph, act of Apr. 27, 1904, c. 1622	Title 34, sec. 682.
34 Stat. 554, third complete paragraph, act of June 29, 1906, c. 3590	Title 34, sec. 683.
R. S. 2469	Title 43, sec. 19.
R. S. 2470	Title 43, sec. 20.
R. S. 461, as amended by 25 Stat. 76, act of Apr. 2, 1888, c. 54, and 35 Stat. 469, sec. 15, act of May 29, 1908, c. 220; 25 Stat. 557, act of Oct. 12, 1888, c. 1098	Title 43, sec. 21.
R. S. 2230	Title 43, sec. 61.
R. S. 2231	Title 43, sec. 62.
R. S. 2232	Title 43, sec. 63.
31 Stat. 270, sec. 3, except the proviso, act of June 5, 1900, c. 716	Title 43, sec. 181.
40 Stat. 430, act of Dec. 20, 1917, c. 6	Title 43, sec. 236.
41 Stat. 271, fifth complete paragraph, act of July 24, 1919, c. 26	Title 43, sec. 237.
34 Stat. 1248, act of Mar. 2, 1907, c. 2568	Title 43, sec. 262.
35 Stat. 350, third complete paragraph, act of May 27, 1908, c. 200	Title 43, sec. 379.
40 Stat. 675, thirteenth complete paragraph, act of July 1, 1918, c. 113	Title 43, sec. 380.
43 Stat. 116, sec. 2, act of May 9, 1924, c. 150	Title 43, sec. 384 (b).
44 Stat. 650, sec. 49, act of May 25, 1926, c. 383	Title 43, sec. 423g. (appendix).
32 Stat. 389, sec. 5, third sentence, act of June 17, 1902, c. 1093	Title 43, sec. 476.
R. S. 2353	Title 43, sec. 672.
R. S. 2354	Title 43, sec. 673.
R. S. 2355	Title 43, sec. 674.
R. S. 2356	Title 43, sec. 676.
R. S. 2357	Title 43, sec. 677.
R. S. 2358	Title 43, sec. 683.
R. S. 2359	Title 43, sec. 684.
R. S. 2360	Title 43, sec. 685.
19 Stat. 221, sec. 2, act of Jan. 12, 1877, c. 18	Title 43, sec. 686.
R. S. 2360	Title 43, sec. 687.
R. S. 2368	Title 43, sec. 754.
R. S. 2399, as amended by 26 Stat. 650, act of Oct. 1, 1890, c. 1292	Title 43, sec. 755.
28 Stat. 285, act of Aug. 15, 1894, c. 283, and 32 Stat. 120, act of Apr. 26, 1902, c. 592	
R. S. 2400	Title 43, sec. 756.
R. S. 2404	Title 43, sec. 764.
R. S. 2405	Title 43, sec. 765.
R. S. 2407	Title 43, sec. 767.
R. S. 2411	Title 43, sec. 771.
37 Stat. 687, act of Feb. 27, 1913, c. 85	Title 43, sec. 860.
33 Stat. 64, act of Mar. 9, 1904, c. 503	Title 43, sec. 1167.
34 Stat. 1162, both provisos, act of Mar. 2, 1907, c. 2511	Title 48, sec. 4.
36 Stat. 248, thirteenth paragraph, act of Mar. 23, 1910, c. 115	Title 48, sec. 5.
31 Stat. 328, sec. 17, act of June 6, 1900, c. 786	Title 48, sec. 28.
31 Stat. 333, sec. 32, except the first two sentences, act of June 6, 1900, c. 786, as amended by 33 Stat. 1266, sec. 2, act of Mar. 3, 1905, c. 1497	Title 48, sec. 42.
33 Stat. 1266, sec. 3, act of Mar. 3, 1905, c. 1497	Title 48, sec. 65.
33 Stat. 391-393, first eighteen paragraphs, act of Apr. 27, 1904, c. 1629	Title 48, secs. 331-336.
40 Stat. 604, act of June 13, 1918, c. 97	Title 48, sec. 618.
25 Stat. 489, sec. 1, act of Sept. 22, 1888, c. 1028	Title 50, sec. 11.
26 Stat. 769, last paragraph, act of Feb. 24, 1891, c. 283	Title 50, sec. 12.
31 Stat. 910, second proviso, act of Mar. 2, 1901, c. 803	Title 50, sec. 13.
27 Stat. 461, proviso, act of Feb. 18, 1893, c. 136	Title 50, sec. 14.
25 Stat. 491, first two complete paragraphs, act of Sept. 22, 1888, c. 1028	Title 50, sec. 15.

SEC. 2. Rights or liabilities existing under the foregoing statutes or parts thereof on the date of the enactment of this act shall not be affected thereby.

Mr. LaGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from New York [Mr. LaGUARDIA] offers an amendment, which the Clerk will report. The Clerk read as follows:

Amendment offered by Mr. LaGUARDIA: Page 3, in the twelfth from the last line, strike out "43 Stat. 116, sec. 2, act of May 9, 1924, c. 150, title 43, sec. 384 (b)."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COMMERCIAL POST-OFFICE STATION, ST. PAUL, MINN.

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on a pamphlet which was issued attacking me on post-office leases.

The SPEAKER. The gentleman from Minnesota [Mr. MAAS] asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, recently there has appeared a pamphlet issued by the Chicago Title & Trust Co., and Abel Davis, as trustees under a mortgage securing the commercial station post-office bonds issued on the St. Paul post-office station. It is dated March 3, 1930, and purports to be a memorandum giving the past history and present status of the St. Paul commercial post-office station situation, particularly in reference to the bonds against the property. In the pamphlet it states that the authors are endeavoring to bring the facts of the situation to the attention of responsible Government officials with a view to having an impartial determination of an amount which may fairly be paid by the Government, and which will be sufficient to protect these bondholders. This pamphlet is one of the grossest misstatements of the facts yet to appear, and is either prepared in the crudest carelessness, or is a most flagrant attempt at deliberate deception with a purpose to influence legislation.

It attempts to give the impression that the controversy over the condemnation of this property by the Federal Government is a political fight and that the innocent bondholders are being made the victims of a political battle.

Among some of the most glaring misstatements of facts in this pamphlet are the following:

It alleges that the bonds are secured by first mortgage on a building of fireproof construction and states that the foundations and columns were designed to permit the construction of three additional stories whenever the Government might require such space to increase post-office facilities, and that the structure is the largest individual post office in St. Paul, which is not the case. It overstates the purchase price of the land and also overstates the cost of the building by more than \$200,000 and places a value on the furniture and fixtures at \$35,000 more than was actually paid for them. It gives a total physical valuation of \$807,000. It quotes various appraisals, one being as high as \$1,783,413. It also quotes the valuation given by the Postmaster General in a memorandum to Congressman SPRUILL of Illinois, which was read on the floor of the House on February 25, 1930, placing the value at \$677,932. But even the highest figures that they claim themselves—\$807,000—hardly explains the issuance of \$1,150,000 in bonds against the property in addition to \$100,000 stock, all of which is secured only by the property.

The Government went into Federal court and condemned the property and a commission appointed by the Federal court gave an award in condemnation action of \$317,000 as the damages for the land, building, and the lease.

A grand jury at St. Paul, which investigated the situation because of the scandalous nature of the transaction of the making of the lease, reported that at no time did the land and building ever have a value in excess of \$290,000. Although this pamphlet states that the value of the furniture and fixtures is \$60,000, I have in my possession a sworn statement by the owners, made to the county assessor, Ramsey County, in which this building is located, that the furniture in 1928 was valued at \$29,462.51. By their own showing in this pamphlet there was not sufficient income even from this exorbitant lease had the Government paid every dollar it called for to have retired all of the bond issues outstanding. At the end of the lease there would still have been some \$500,000 of bonds outstanding, for which the bondholders would have only a property to show, which would be worth probably considerably under \$200,000. However, the terms of the lease could never be fulfilled because in any event the building could not possibly be occupied more than a year or two longer because of its dangerous condition. It was very

faultily constructed and has deteriorated so rapidly that it has been declared unsafe, and the city of St. Paul has passed an ordinance condemning it as dangerous to life. Large parts of it have had to be vacated as a safety measure. It is not in fact a fireproof building as alleged by this pamphlet, nor were the foundations and pillars designed for three additional stores. Two sides have no piling and rest on a bog.

This pamphlet does not explain why, when a new lease was made in 1925, which was noncancelable and for which the Government got no benefit for surrendering its cancellation clause, an original \$750,000 issue of bonds, which was sold before even the original lease in 1922 was signed, was retired and new bonds in the amount of \$1,150,000 were issued in their place. No additional construction work or new equipment of any sort was added under the new lease and therefore there was no need for new financing. The building had already been paid for and the land had been paid for. The total investment was less than \$500,000 and inasmuch as \$750,000 in bonds had been sold, there has never been explanation made as to why it was necessary to place \$1,150,000 in bonds later.

This pamphlet also launches into an attack upon me alleging that I had made this fight to terminate the lease for political reasons. I shall not dwell on that, for whatever the reasons may be, it was time that somebody terminated this contract.

This pamphlet contends that the only assets of the corporation owning the property are the land, building, and the lease, and that the bonds are dependent upon the lease for their validity. The amount of the rent agreed to be paid was based upon a fraudulent and false appraisal as to the value of the property and a misrepresentation as to the construction of the building.

The lease is dependent upon annual appropriations and therefore can not be considered as part of the security of the bonds. The bondholders should look to the syndicate which issued them and the investment houses that distributed the bonds.

In my opinion this pamphlet is a direct misrepresentation of the situation and is an improper attempt to influence legislation, and I have therefore turned this pamphlet over to the Senate committee investigating lobbying activities and have also turned a copy over to the Federal Trade Commission, which is investigating the sale of these bonds.

Fortunately Congress was not influenced by this last-minute attempt to protect this unconscionable gouge against the Government which apparently is being aided by certain Government officials who have thrown every possible obstacle in the way of the Government's own attempt to acquire this property as a site for a new Federal building. Intentionally or unintentionally, Government officials gave aid and comfort to the perpetrators of this indefensible pamphlet.

CHARGES ON GOODS SHIPPED TO THE PHILIPPINE ISLANDS

The next business on the Consent Calendar was the bill (H. R. 6127) to authorize the payment of checking charges and arrastre charges on consignments of goods shipped to Philippine Islands.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the checking charges and arrastre charges which have been, or may hereafter be, imposed by authority of the government of the Philippine Islands upon merchandise, supplies, equipment, and other material imported into the Philippine Islands on commercial vessels, and duly consigned to official agencies of any executive department or bureau of the United States Government, are hereby legalized and ratified, as fully to all intents and purposes as if the same had by prior act of Congress been specifically authorized and directed.

The payment of such charges heretofore or hereafter incurred shall be made by the United States Government from appropriations, heretofore or hereafter made for the particular departments or bureaus of the United States Government concerned, which are or may hereafter be made available for the payment of transportation charges on shipments of the character hereinbefore referred to: *Provided*, That the charges shall in no case exceed those charged commercial concerns for like services, shall not include any charges for shipside deliveries when services in connection therewith are not requested by the department or bureau concerned, and shall not be imposed in case of any deliveries made on piers owned or operated by the United States Government.

With the following committee amendment:

On page 2, line 12, after the word "services," strike out the comma and the remainder of the line, and all of lines 13 and 14 and the word "concerned" in line 15.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COMPACTS OR AGREEMENTS BETWEEN CERTAIN STATES

The next business on the Consent Calendar was the bill (H. R. 200) granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and Wyoming with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and all other streams in which such States or any thereof are jointly interested.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, on account of the absence of the gentleman from Colorado [Mr. TAYLOR] and certain others who are interested in this bill, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

COMPACTS OR AGREEMENTS BETWEEN THE STATES OF COLORADO, NEBRASKA, AND WYOMING

The next business on the Consent Calendar was the bill (H. R. 201) granting the consent of Congress to compacts or agreements between the States of Colorado, Nebraska, and Wyoming with respect to the division and apportionment of the waters of the North Platte River and other streams in which such States are jointly interested.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Nebraska [Mr. SIMMONS] wherein this bill differs from the bill which was previously passed over without prejudice relating to the same authority of Congress.

Mr. SIMMONS. Does the gentleman refer to H. R. 200?

Mr. STAFFORD. Yes.

Mr. SIMMONS. Well, H. R. 200 refers to the Colorado River and its tributaries, while H. R. 201 refers to the North Platte River and its tributaries. H. R. 202 touches only the States of Colorado and Wyoming.

Mr. STAFFORD. I was under the impression that H. R. 202 also related to the River Platte.

Mr. SIMMONS. It is not named in the bill, but they are all objectionable.

Mr. HOOPER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PREVENTION OF PROFESSIONAL PRIZE FIGHTING IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, I do not see the gentleman from Michigan [Mr. McLEOD] present, and as this bill raises some rather novel questions and some questions about which I would like to have some information, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent to insert in the Record at this point a list of the States which permit boxing.

Mr. LaGUARDIA. Amateur boxing or professional boxing?

Mr. COLLINS. Amateur boxing.

Mr. LaGUARDIA. This bill relates to amateur boxing.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the Record by printing a list of States permitting boxing. Is there objection?

There was no objection.

The list referred to follows:

Alabama. Laws 1927, No. 134.

Arizona. Laws 1919, chapter 167.

Arkansas. Laws 1927, No. 131.

California. Laws 1925, page 89.

Colorado. Laws 1927, chapter 70.

Connecticut. Laws 1925, chapter 243; amended laws 1927, chapter 163.

Idaho. Laws 1919, chapter 127; amended laws 1923, chapter 180.

Illinois. Laws 1925, page 164.

Kansas. Laws 1925, chapter 255.¹

Kentucky. Laws 1928, chapter 153.

Louisiana. Laws 1926, chapter 229.

Maine. Laws 1925, chapter 207 [amateur matches only].

Maryland. Bagby's Code 1924, article 56, sections 137-154.

Massachusetts. General Laws 1921, pages 1532-1536.

Michigan. Laws 1919, No. 328; amended laws 1921, No. 326.

Minnesota. Mason's Statutes 1927, sections 3251-3260.

Mississippi. Laws 1928, chapter 54.

Missouri. Revised Statutes 1919, sections 7674 (17), 7976 (18, 19), 8322, 8497, 8713 [license by cities authorized]; Laws 1927, pages 114-116.²

Montana. Laws 1927, chapter 103.

Nebraska. Compiled Statutes 1922, sections 8302-8316.

Nevada. Laws 1919, chapter 58; Laws 1925, chapter 46.

New Jersey. Cumulative Supplements 1924, sections *25-1 to 25-19; 1927, chapter 258; Laws 1928, chapter 14.

New York. Cahill's Constitutional Laws 1923, pages 2429-2432; Supplement 1928, page 1166.

Oregon. Laws 1920, sections 3879-3887.

Pennsylvania. Laws 1923, No. 295.

Porto Rico. Laws 1927 Executive, No. 15; amended laws 1928, No. 73.

Rhode Island. Laws 1926, chapter 772; amended laws 1927, chapter 963.

South Dakota. Laws 1923, chapter 274.

Tennessee. Thompson's Shannon's Code 1919, section 6675a.

Wisconsin. Statutes 1927, section 169.01.

Wyoming. Laws 1927, chapter 85.

TRADE-MARKS USED IN COMMERCE

The next business on the Consent Calendar was the bill (H. R. 2828) to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, and it is not my purpose to object, I would like to ask my friend from Indiana if he thinks a bill which, like this, involves so much should come up at this time, under these circumstances, and whether he believes it is in such shape that it can properly be considered under unanimous consent? I do not care to make an objection, but the bill is almost a code in itself, is it not?

Mr. VESTAL. That is correct. May I say to the gentleman that this bill has been under consideration by the Committee on Patents for the past five years, and we passed the bill unanimously two years ago in practically the same language as the bill under consideration now.

Mr. HOOPER. Mr. Speaker, I will withdraw my reservation of objection.

Mr. SNELL. Is this the bill that has the divisible copyright proposition in it?

Mr. VESTAL. No; it is the trade-mark bill. I want to say that this bill has the unanimous support of the American Bar Association and the patent law associations throughout the United States. No bill was ever brought into this House that had more earnest consideration by the Committee on Patents than this one. It had a unanimous report last year, when it was passed in the last Congress, and it has a unanimous report this year.

Mr. STAFFORD. Mr. Speaker, I think a bill of this magnitude and importance should have some explanation of its purpose, so the RECORD will show and the House will know just what the scope of the bill is.

Mr. VESTAL. The report that accompanies this bill—

Mr. STAFFORD. I have read the report, but the RECORD should show that there has been some consideration given to the bill.

Mr. VESTAL. I am now trying to say to my friend from Wisconsin that this bill has had careful consideration for the past five years. We did not bring in a bill until we had ironed out all of the difficulties that had come up. The committee feels that this is an important piece of legislation, really codifying the trade-mark law and putting it in such condition that it will be workable throughout. The bill ought to be passed. There is really an emergency for it. The bill passed the House a year ago, but went to the Senate too late to be passed in the Senate.

Mr. LaGUARDIA. Was there any opposition to the bill at the other end of the Capitol?

Mr. VESTAL. No; it was just caught in the jam.

¹ In Kansas and Missouri the licenses are issued only to bona fide patriotic, benevolent, fraternal, or religious organizations, or local unit thereof, which has been in existence one year prior to granting license.

Mr. STAFFORD. Will the gentleman explain the reason the committee recommended an increase in the fee from \$10 to \$15? I know the report says that this is to meet the current expenses of the bureau.

Mr. VESTAL. I can enlighten the gentleman on that. The Committee on Patents feels that the Patent Office ought to be a self-sustaining institution of the Government and it is necessary to have the amount of these fees increased in order to do that very thing. There has not been any objection from anyone.

Mr. HOOPER. Has it been estimated that this proposed law will make the office self-sustaining by increasing the fee from \$10 to \$15?

Mr. VESTAL. Yes; together with the increase of fees in the patent bill, which has already been passed and signed by the President. It simply puts the fees in trade-mark cases upon the same basis as patent fees.

Mr. JENKINS. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. JENKINS. Is there any difference in this bill and the bill that was passed by the committee last year?

Mr. VESTAL. No differences except a few minor amendments that were agreed upon by the Patent Bar Association.

Mr. JENKINS. Was there any contest in the committee about these amendments?

Mr. VESTAL. None whatever.

Mr. GREENWOOD. Reserving the right to object, I do not see in the report any recommendation of the Secretary of the Interior or the Commissioner of Patents.

Mr. VESTAL. There should be such a report. That is an oversight.

Mr. GREENWOOD. The bill has been submitted to the department.

Mr. VESTAL. It has been submitted to the department and has been approved by the department.

Mr. ELLIS. Will the gentleman yield?

Mr. VESTAL. Yes.

Mr. ELLIS. I do not know that I should break into this mutual admiration society that we see here to-day, but I want to say that I have received many letters urging the passage of this measure. Out in my country they feel it ought to become the law.

Mr. VESTAL. I thank the gentleman.

Mr. GREENWOOD. As I understand, this bill would simplify procedure in the department.

Mr. VESTAL. Yes.

Mr. GREENWOOD. And the only change in the fees is an increase of \$5.

Mr. VESTAL. And this is to coincide with the increase of fees in patent matters so as to put them all on the same basis.

Mr. STAFFORD. How does the fee we are prescribing here correspond with the fees charged by members of the union that met at Santiago, Chile, some time back in respect of this legislation?

Mr. VESTAL. Oh, the fees are much smaller here than they are in any other country, and with the increase they will still be smaller than in any other country.

Mr. STAFFORD. The gentleman seeks by this bill to more or less dovetail our practice with the practices of members of the Pan American Union?

Mr. VESTAL. That is correct.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the owner of a trade-mark in use in commerce within the control of Congress may register such trade-mark—

A. By filing in the Patent Office—

(a) A written application addressed to the commissioner, signed and verified by the applicant before any officer mentioned in section 15 (b), stating the applicant's name, citizenship, domicile, residence and business address, upon what goods the trade-mark is used, the duration of such use, how the right was acquired, and, if by succession or assignment, from whom, and upon information and belief that the applicant is entitled to the exclusive use of the trade-mark in the United States, and that the applicant is using it in commerce. A description of the trade-mark may be included if desired by the applicant or required by the commissioner;

(b) A drawing of the trade-mark; and

(c) Such number of specimens or facsimiles of the trade-mark as actually used as may be required by the commissioner;

B. By paying into the Patent Office the sum of \$10; and

C. By complying with such rules or regulations not inconsistent with law as may be prescribed by the commissioner.

If the applicant resides or is located in a foreign country, and the trade-mark has been registered by the applicant or an application for the registration thereof has been filed by him in such foreign country,

the application shall set forth this fact and shall give the date of such registration or application. In such cases the applicant need not allege use in commerce if by treaty relieved therefrom.

SEC. 2. No mark by which the goods to which it is applied by the applicant may be distinguished as to source or origin shall be refused registration as a trade-mark on account of its nature unless it—

(a) Consists of or comprises immoral, deceptive, or scandalous matter.

(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof.

(c) Consists of or comprises the portrait or signature of a living individual unless by his written consent, or the name, portrait, or signature of any deceased President of the United States during the life of his widow, if any, unless by her written consent.

(d) Consists of or comprises a mark which so resembles a trade-mark previously used by another as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers as to their source or origin.

When such previously used trade-mark is applied to merchandise of the same descriptive properties it shall constitute prima facie grounds for refusing registration.

(e) Consists of a mark which when applied to the goods of the applicant has merely a descriptive or geographical meaning or is merely a surname.

Rejection on any of the foregoing grounds shall be subject to rebuttal by evidence of relevant facts.

(f) Except as expressly excluded in paragraphs (a), (b), (c), and (d) of this section, nothing herein shall prevent the registration of any mark used as a trade-mark by the applicant in commerce which, in accordance with the principles of common law, shall be shown by proof convincing beyond a reasonable doubt to have acquired a secondary meaning distinguishing the applicant's goods.

(g) Registrations of a mark under this act except under paragraph (f) of this section shall be prima facie evidence of ownership as of the date the application was filed. Registration of a mark by virtue of paragraph (f) shall be prima facie evidence of secondary meaning distinguishing the registrant's goods as of the date of registration.

SEC. 3. In addition to the registration provided in sections 1 and 2 of this act, the commissioner shall keep a register of all marks communicated to him by an international bureau organized under the provisions of a treaty or convention to which the United States is a party and in connection with which the fee required by such conventions for international registration and the fee for registration provided by the laws of the United States have been paid where the mark so communicated is deemed by the Commissioner of Patents to be such that protection can be granted thereto in accordance with law. The communication from the international bureau shall show the name and address of the owner of the mark; the date of application for registration in the State of first registration, which State must be one of the signatory countries; the number of the registration and the date of expiration in the State of first registration; a facsimile of the mark; a statement of the goods on which the mark is used in the State of first registration; the date of the application for recognition of the rights claimed under the convention; and such other data as may be useful concerning the mark. If objection is made to the registration of such mark, notice thereof shall be communicated by the commissioner to the said international bureau.

Registrations effected under the foregoing paragraph shall be subject to renewal and to cancellation in accordance with the provisions of this act.

When protection is refused to any mark communicated by an international bureau as above specified, or applied for directly under the terms of any convention to which the United States is a party, by reason of a prior registration, the proprietor of the mark claiming recognition of rights under treaty or convention shall have the right to seek and obtain the cancellation of the previously registered mark, upon proving, according to the procedure fixed by existing law, such refusal and—

(1) The stipulations in paragraph (1) and those of either paragraph (b) or (c) below:

(a) That he enjoyed legal protection for his mark in any of the contracting States prior to the date of the application for the registration or deposit which he seeks to cancel; and

(b) That the registrant of the mark sought to be canceled had knowledge of the use, employment, registration, or deposit in any of the contracting States of such mark for the specific goods to which such mark is applied prior to the registrant's adoption and use thereof; or

(c) That the petitioner for cancellation has traded or trades with or in the United States and that goods designated by his mark have circulated and circulate in the United States from a date prior to the adoption and use of the mark the cancellation of which is sought.

(2) That the mark covered by the registration which he seeks to cancel has been abandoned.

The commissioner may record transfers or assignments of trade-marks upon regular notification of such transfers or assignments received from

the proper international bureau upon the payment of the statutory recording fee.

Owners of marks so registered, being domiciled in any country which is a party to said convention, shall enjoy, while the registration remains in force, all the rights and benefits conferred by said convention.

SEC. 4 (a). In addition to the registrations hereinbefore provided for, the commissioner shall keep a register of marks as a continuation of the register of marks heretofore registered under paragraph (b) of section 1 of the act of March 19, 1920, entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes." Whenever any person engaged in manufacturing in, or exporting from, the United States shall apply for registration of any mark which distinguishes or is adapted to distinguish the goods as those of the applicant (including, for the purposes of this section, a trade-mark, symbol, label, package, configuration of goods, name, word, or phrase) other than those expressly excluded by paragraphs (a), (b), (c), and (d) of section 2, which is used upon goods manufactured by or for such applicant and exported, or about to be exported, to any foreign country, in a verified statement that such mark distinguishes or is adapted and intended to distinguish the goods as those of the applicant, and shall pay into the Patent Office the sum of \$25, the commissioner, subject to prompt examination and search and determination that the mark distinguishes or is adapted to distinguish the goods as those of the applicant and is not excluded by paragraphs (a), (b), (c), and (d) of section 2, shall forthwith register said mark in said register and issue a certificate of registration for such mark, which shall be evidence of the date of filing the application therefor, and of the claim of the registrant of right in such mark. Registrations under this section, including marks heretofore registered under paragraph (b) of section 1 of said act of March 19, 1920, shall give the registrant the same protection in commerce of the marks so registered as the common law affords. Applications under this section shall not be published for opposition, as provided in section 7, and shall not be subject to opposition as provided in section 13, but the registrations shall be subject to cancellation under section 13, paragraph (b), or section 14, paragraph (f). Such registration shall not be used to stop importations under section 28. Registration under this section or under the act of March 19, 1920, shall not preclude reregistration to the owner of a trade-mark under any other section of this act.

(b) Upon the filing in the Patent Office of the written consent of a registrant under sections 1 and 2 hereof, or under the act of February 20, 1905, as amended, a subsidiary or subsidiaries or representative or representatives of such registrant may register the same trade-mark under paragraph (a) of this section. By written notice to the commissioner, the said registrant may withdraw such consent, whereupon the registration under this section shall be transferred on the records of the Patent Office to the name of the registrant under sections 1 and 2 hereof or under the act of February 20, 1905, as amended, or his nominee, or canceled at the said registrant's option.

SEC. 5. A. In order to have available for search purposes a collection of unregistered marks, the commissioner is authorized to form such a collection and to that end to accept, file, and classify such unregistered marks as may be entered as provided in this section.

(1) Any mark (including, for the purposes of this section, a trade-mark, symbol, label, package, configuration of goods, name, word, or phrase) used in commerce and identifying any merchandise or business, may be entered in the Patent Office by the user by filing one or more copies, facsimiles, or representations thereof, as the commissioner may direct, on a form to be furnished by the commissioner, and under oath, and by paying into the Patent Office a fee of \$2. Any person using, in commerce, any such mark, which shall not have been registered and for which no application for registration has been filed before this act becomes effective, who shall fail either to apply to register or enter such mark before the expiration of one year after the first use thereof in commerce, or within one year after this act takes effect, shall, on applying to register in any form under this act, pay, as a fee for such registration, in addition to any other fees prescribed in this act, the sum of \$20. There shall be excepted from the foregoing the trade names embraced in article 8 of the convention mentioned in section 6 (b) hereof, but such trade names may be entered under this section at the option of the user thereof. Any user of a mark solely within a State may, at his option, enter the same under this section.

(2) The commissioner shall not accept for entry any mark already registered, or for which an application for registration is pending, for the same goods.

(3) The commissioner shall mark as abandoned or canceled and may remove from this collection abandoned marks and marks which are immoral, scandalous, or otherwise unlawfully entered.

(4) Any mark entered under the provisions of this section shall be marked as abandoned or canceled and may be removed from said collection of unregistered marks at the end of five years following the date of entry thereof, unless within three months next preceding the expiration of such five years the entrant or his successor in business shall file in the Patent Office an affidavit in such form as may be prescribed by the commissioner to the effect that said mark is still in use

by the entrant or his successor in business. A form of such affidavit shall be mailed by the commissioner to the entrant not less than three months prior to the expiration of such 5-year period, but failure to receive such form shall not excuse the failure to file such affidavit. At the expiration of each succeeding 5-year period thereafter a similar procedure shall be followed in the case of each entered mark and the entered mark shall be marked as abandoned or canceled and may be removed from said collection unless such affidavit is filed by the entrant or his successor in business within three months preceding the expiration of each such 5-year period.

(5) An entry under this section shall have no legal effect except as evidence that, at its date, the entrant claimed a right in the entered mark.

(6) An entered mark shall not of itself be ground for rejection of an application for registration, but if the commissioner believes that an entered mark conflicts or may conflict with an application for registration under sections 1, 2, or 23 hereof, the commissioner, upon the publication of the applied-for mark or before the allowance of applications under sections 3 and 4 hereof, shall notify both the applicant and the entrant.

B. (1) The commissioner shall cause to be assembled for search purposes, in such form as the commissioner may determine, all marks—

- (a) Now registered and which may hereafter be registered;
- (b) For which applications for registration are pending;
- (c) Which may be entered under section 5 A; and
- (d) Any other marks in actual use which the commissioner may direct.

Such collection of marks shall be open to public inspection at such times as the commissioner may prescribe.

(2) The commissioner may remove from the file for search purposes abandoned or other marks at his discretion.

SEC. 6. (a) An application for registration of a trade-mark, filed in this country by any person who has previously regularly filed an application for registration of the same trade-mark in a foreign country, and which is his first application in any country, if such country by treaty, convention, or law affords similar privileges to citizens of the United States, shall be accorded the same force and effect as would be accorded to the same application if filed in this country on the date on which the application was first filed in such foreign country, if such application is filed in this country within four months from the date on which the application was first filed in such foreign country. Applications under this section shall conform as nearly as practicable to the requirements of section 1, but need not allege use in commerce, if by treaty relieved therefrom, but no registration in this country may be perfected until the mark has been actually registered in such foreign country, except in the case of citizens of countries which make no such requirement of citizens of the United States.

(b) Every owner of a trade-mark, being domiciled in any country which is a party to the international convention entered into at Paris March 20, 1883, revised at Brussels December 14, 1900, and at Washington June 2, 1911, shall enjoy with respect to the registration of said trade-mark, and while such registration remains in force, all the rights and benefits concerning trade-marks and unfair competition conferred by said convention. Rights of priority under such registrations shall be determined as provided in said convention.

(c) Foreign or alien owners of trade-marks used in this country shall, unless otherwise provided by treaty, enjoy the same right to such trade-marks at common law and the same right to register or enforce such trade-marks under the other sections of this act as citizens or residents of the United States, and their rights of priority, unless otherwise provided by treaty, shall be determined by their actual use of such trade-marks within the United States.

SEC. 7. Upon the filing of an application for registration under sections 1, 2, or 23 hereof, and payment of the fees herein provided for, the commissioner shall cause an examination thereof to be made, and if on such examination it shall appear that the applicant is entitled to registration under the provisions of this act, the commissioner shall cause the mark to be published at least once in the Official Gazette of the Patent Office. If no notice of opposition, as hereinafter provided, is filed within the period specified in section 13, paragraph (a), the commissioner may issue a certificate of registration therefor. If on examination an application is refused, the commissioner shall notify the applicant, giving his reasons therefor. Applications under sections 3 and 4 shall not be published for opposition, but shall be published when registered. This section (sec. 7) shall not apply to marks entered under section 5.

SEC. 8. Every applicant for registration of a trade-mark or for renewal of registration of a trade-mark, who is not resident within the United States, shall, before the issuance of the certificate of registration or renewal, as herein provided, designate, by a notice in writing filed in the Patent Office, some person residing within the United States on whom process or notice of proceedings affecting the registration of the trade-mark of which such application may claim to be the owner, brought under the provision of this act or under other laws of the United States, may be served, with the same force and effect as if served upon the applicant or registrant in person. Such designation

shall be continuously maintained. Any nonresident registrant shall in like manner designate such a representative; and after this act takes effect no suit or action shall be brought under any registration owned by such nonresident registrant, and no profits or damages for infringement of such registered mark shall be recoverable under this act, until and unless such notice of designation has been filed and maintained. Such service may be made by leaving a copy of the process or notice at the last address of which the commissioner has been notified or by mailing it to such address.

SEC. 9. In an ex parte case appeal may be taken to the commissioner in person from the decision of the examiner in charge of trade-marks and from the decision of the commissioner to the Court of Customs and Patent Appeals or relief from a decision of the commissioner may be sought by action under the provisions of section 4915 of the Revised Statutes, but proceedings to avail of either remedy shall constitute a waiver of all right to the other remedy. The conditions required in case of an appeal from the decision of the Board of Appeals by an applicant for patent shall be complied with in an appeal to said Court of Customs and Patent Appeals under this section, and the same rules of practice and procedure shall govern in every stage of such proceedings, as far as the same may be applicable.

SEC. 10. (a) All certificates of registration of trade-marks shall be issued in the name of the United States of America under the seal of the Patent Office, and shall either be signed by the commissioner or have his name printed thereon and attested by an assistant commissioner or by one of the law examiners duly designated by the commissioner, and shall be recorded, together with printed copies of the drawing and application, in the Patent Office in books to be kept for that purpose. The certificate shall state the date on which the application for registration was received in the Patent Office. Certificates of registration of trade-marks may be issued to the assignee of the applicant where the assignment has been recorded in the Patent Office. In case of succession or change of ownership of a trade-mark registered under this or any previous acts the commissioner may, upon a proper showing at the request of the owner or successor and upon the payment of a fee of \$10, issue to such owner or successor a new certificate of registration of the said trade-mark in the name of such owner or successor.

(b) The commissioner, upon application of the registrant, may permit any registration under this or any previous act to be canceled or for good cause to be amended or disclaimed in whole or in part at any time, provided when so amended or disclaimed in part it shall still contain registrable matter, and shall make appropriate entry upon the records of the Patent Office and upon the certificate of registration, or if such certificate is lost or destroyed upon a certified copy thereof.

(c) Copies of any records, books, papers, or drawings relating to trade-marks belonging to the Patent Office, and of certificates of registration, authenticated by the seal of the Patent Office and certified by the commissioner or in his name by a chief of division duly designated by the commissioner, shall be evidence in all cases wherein the originals would be evidence, and any person making application therefor and paying the fee required by law shall have such copies.

(d) Whenever a mistake in a trade-mark registration, incurred through the fault of the Patent Office, is clearly disclosed by the records of the office a certificate stating the fact and nature of such mistake, signed by the commissioner and sealed with the seal of the Patent Office may be issued, without charge, and recorded in the records of trade-marks and a printed copy thereof attached to each printed copy of the trade-mark registration, and such certificate shall thereafter be considered as part of the original, and every trade-mark registration, together with such certificate, shall have the same effect and operation in law on the trial of all actions or causes thereafter arising as if the same had been originally issued in such corrected form. All such certificates heretofore issued in accordance with the rules of the Patent Office and the trade-mark registrations to which they are attached shall have the same force and effect as if such certificates had been specifically authorized by statute.

(e) Whenever a mistake has been made in a trade-mark registration and a showing has been made that such mistake occurred in good faith through the fault of the applicant, the commissioner is authorized to issue a certificate of correction upon the payment of a fee of \$10, provided the correction is not such as to necessitate republication of the mark.

SEC. 11. (a) Each certificate of registration shall remain in force for 20 years and shall be effective throughout the United States: *Provided*, That the registration of any mark under the provisions of this act shall be canceled at the end of five years following the date of said registration, unless within three months next preceding the expiration of such five years the registrant shall file in the Patent Office an affidavit in such form as may be prescribed by the commissioner to the effect that said mark is still in use by the registrant. If, however, nonuse is due to special circumstances beyond the control of the registrant and not to any intention not to use or to abandon such trade-mark, the registrant shall file an affidavit to this effect at the time and in the manner provided for the affidavit of continued use, in which case the registration shall not be canceled because of such nonuse. Forms for such affidavits shall be mailed by the commissioner to the registrant or to his duly

authorized attorney or to his representative designated as provided in section 8 hereof, not less than three months prior to the expiration of such 5-year period, but failure to receive such form shall not excuse the failure to file such affidavit.

(b) Certificates of registration may be renewed for like periods of 20 years from the end of the expiring period on payment of the renewal fees required by this act upon requests by the registrant, and such requests may be made at any time within six months prior to the expiration of the period for which the certificates of registration were issued or renewed. Certificates of registration in force at the date at which this act takes effect shall remain in force for the period for which they were issued and shall have the same force and effect as if the acts under which they were issued had not been repealed, except that those under the act of March 19, 1920, shall expire in 20 years from the date of registration. But all registrations in force at the date on which this act takes effect shall be renewable only under the provisions of this act, and when so renewed shall have the same force and effect as certificates issued under this act.

SEC. 12. (a) Registration under sections 1, 2, and 23 hereof or under the act of February 20, 1905, shall, from the date when this act takes effect, be constructive notice as of the date of registration to all persons of the fact of registration and of the fact that the registrant claims the right to the exclusive use in commerce of the mark so registered.

(b) It shall be the duty of the registrant to accompany a trade-mark registered under the act of February 20, 1905, or under the act of March 19, 1920, or under sections 1, 2, and 3 hereof and trade-names, marks, and devices registered under section 23 hereof with the words "Registered in U. S. Patent Office" or "Reg. U. S. Pat. Off.," and in any suit for infringement under this act by a registrant failing so to mark, no profits and no damages shall be recovered except on proof that the defendant had actual notice or knowledge and continued to infringe after such notice or knowledge, and no such profits or damages shall accrue except after such notice or knowledge.

(c) It shall be unlawful for any person to accompany any mark, name, or device used in commerce and not registered under the act of February 20, 1905, or under the act of March 19, 1920, or under sections 1, 2, 3, or 23 hereof or a mark merely entered under section 5 hereof, or merely registered under section 4 hereof, with the words "Registered in U. S. Patent Office," or "Reg. U. S. Pat. Off.," or "Deposited in the U. S. Patent Office," or "Entered in the U. S. Patent Office," or "Recorded in the U. S. Patent Office," or with any other letters, words, or abbreviations of like import; or to use in commerce in connection with any such mark any such words or abbreviations on any label or in any catalogue, circular, or advertising matter.

(d) Any person who violates the provisions of section 12 (c) of this act shall be guilty of a misdemeanor punishable by a fine of not less than \$100 or more than \$250.

SEC. 13. The following shall be the contested proceedings in the Patent Office:

(a) *Opposition*: Any person who would be damaged by the registration of a mark under section 1, 2, or 23, including any person using any mark which the applicant's mark so resembles as to be likely when applied to the goods or services of the applicant to cause confusion or mistake or to deceive purchasers as to their source or origin, may oppose the same by filing notice of opposition in the Patent Office, in such form as the commissioner may by rule prescribe, within 30 days after the publication in the Official Gazette of the mark sought to be registered. A notice of opposition may be filed by an authorized attorney, but shall be void unless ratified by the opposer within a reasonable time after such filing. For good cause shown the time for filing notice of opposition may be extended by the commissioner not more than 30 days and for good cause shown the commissioner may receive a notice of opposition filed within 60 days from the date of publication.

(b) *Cancellation*: Any person who is damaged by the registration of a trade-mark, including any person using any mark which the registrant's mark so resembles as to be likely when applied to the goods or services of the registrant to cause confusion or mistake or to deceive purchasers as to their source or origin, except a person against whom a suit is pending thereunder, may at any time apply to the commissioner to cancel the registration thereof by filing a petition in the Patent Office in such form as the commissioner may by rule prescribe. Abandonment shall be among the grounds for cancellation. Nonuse by the registrant for more than two years shall be prima facie evidence of abandonment unless such nonuse is shown to be due to special circumstances beyond the control of the registrant and not to any intention not to use or to abandon such trade-mark.

(c) *Interference*: Whenever application is made for the registration under any section of this act of a trade-mark which so resembles a trade-mark for which a certificate of registration has previously been issued to another, or for the registration of which another has previously made application, as to be likely, in the opinion of the commissioner, when applied to the goods of the applicant, to cause confusion

or mistake or to deceive purchasers as to their source of origin the commissioner may declare that an interference exists.

(d) In every case of opposition to registration, petition for the cancellation of a registered trade-mark, or interference, the commissioner shall direct the examiner in charge of interferences to determine the issues according to the common law or treaty rights of the parties, and under rules prescribed by the commissioner.

(e) Appeal may be taken to the commissioner in person from the decision of the examiner of interferences.

(f) The commissioner may refuse to register the mark against the registration of which opposition is filed, may cancel the registration of a registered trade-mark, or may refuse to register any or all of the interfering marks, or may register the trade-mark for the person entitled thereto. Action shall be stayed for 60 days after final decision by the commissioner to give time for proceeding as provided in section 14, notice of which must be given by the moving party to the commissioner within such 60 days.

(g) Whenever there shall be pending in the Patent Office an interference and an opposition or cancellation concerning the same trade-mark and involving the same or like issues, so that the proceedings may conveniently be determined upon the same evidence, such proceedings may be consolidated upon motion of any party thereto or by direction of the commissioner.

(h) In any suit pending in a Federal court between the parties to a contested proceeding in the Patent Office involving the same trade-mark, the record in the Patent Office, or a duly certified copy thereof, shall be admitted in whole or in part on motion of either party subject to such terms and conditions as to costs, expenses, and the further cross-examination of the witnesses as the court may impose, without prejudice, however, to the right of the parties to take further testimony. The testimony and exhibits or parts thereof of the record in the Patent Office when admitted shall have the same force and effect as if originally taken and produced in the suit.

Sec. 14. (a) Upon the decision of the commissioner any party to any of the proceedings mentioned in section 13 hereof may, within 60 days after the decision of the commissioner, give notice to the commissioner and file a bill in equity for relief in any court of original jurisdiction named in section 21 hereof in the district of the residence or principal place of business of the adverse party; or, if there are two or more such parties, then in the district of the residence or principal place of business of any of them; or, if such party is not domiciled in the United States, then in the court of the district of the residence of the representative designated as provided in section 8 or 15 (a) hereof; or, if no representative is so designated, then in the District of Columbia. The court shall then issue its process (which may be served anywhere in the United States) to all parties to such proceeding and shall thereupon have general jurisdiction of the controversy and of the parties.

(b) In all suits brought hereunder the record in the Patent Office, or a duly certified copy thereof, shall be admitted in whole or in part on motion of either party, subject to such terms and conditions as to costs, expenses, and the further cross-examination of the witnesses as the court may impose, without prejudice, however, to the right of the parties to take further testimony. The testimony and exhibits or parts hereof of the record in the Patent Office when admitted shall have the same force and effect as if originally taken and produced in the suit.

(c) The court may determine the right to registration, order the cancellation of registrations, in whole or in part, restore canceled registrations and otherwise rectify the register, and shall make and enter such orders and decrees as the case may require, including relief by way of injunction, damages, profits, costs, and otherwise, as provided in section 18, and such judgment or decree may be enforced as provided in section 22 hereof.

(d) Except in ex parte cases, the provisions of section 4915 of the Revised Statutes shall not apply in trade-mark cases.

(e) Any order of the court with respect to the right of registration, the cancellation of registrations, the restoration of canceled registrations, or otherwise rectifying the register shall be certified to the commissioner, who shall make appropriate entry upon the records of the Patent Office and be controlled thereby.

(f) In lieu of the method provided in paragraph (b) of section 13 any person damaged by any registration of a trade-mark may have relief by a suit in equity against the registrant for cancellation of such registration brought in the district of the residence or principal place of business of the registrant or if the registrant is not a resident of the United States then in the district of the residence of the representative designated, as provided in section 8 or section 15 (a) hereof, or if no representative is so designated then in the District of Columbia, and the court on due proceedings had may, according to the circumstances of the case, adjudge the right to cancellation of such registration in whole or in part or to other rectification of the register. And such adjudication in favor of the right of a party shall authorize the commissioner to cancel such registration in whole or in part or otherwise rectify the register as the case may require, on the party filing in the

Patent Office a copy of the adjudication and otherwise complying with the requirements of law.

Sec. 15. (a) Every registered trade-mark and every mark for the registration of which application has been made, together with the application for registration of the same, shall be assignable in connection with the business and good will in which the mark is used, or the portion thereof to which the mark is appurtenant, by an instrument in writing, duly acknowledged or otherwise proved, according to the laws of the country or State in which it is executed or made; any such assignment shall be void as against any subsequent purchaser for a valuable consideration, without notice, unless it is recorded in the Patent Office within three months from the date thereof or prior to such subsequent purchase. The commissioner shall keep a record of such assignments.

The commissioner shall not accept for record any such assignment in which the assignee therein named is not a resident within the United States unless and until such assignee shall designate a representative in compliance with the requirements of section 8 hereof.

(b) If any such assignment be acknowledged before any person within the United States authorized by law to administer oaths, or before any secretary of legation or consular officer authorized by the laws of the United States to administer oaths or perform notarial acts, or before any notary public, judge, or magistrate of any foreign country authorized to administer oaths or perform notarial acts in such country whose authority shall be proved by certificate of a diplomatic or consular officer of the United States, the certificate of such acknowledgment shall be prima facie evidence of the execution of such assignment and when recorded in the Patent Office such record shall be prima facie evidence of the execution of such assignment.

Sec. 16. Fees payable to the Patent Office under this act shall be as follows: On filing each original application for registration of a trade-mark except under section 4, \$10; under section 4, \$25; on filing each such application after one year, as provided in section 5, additional, \$20; on filing application under section 23, \$10; on filing each application for renewal, \$10; on issuing a new certificate under section 10, paragraphs (a) and (e), \$10; on each entry under section 5, \$2; on filing notice of opposition or a petition for cancellation (except under section 10 (b)), \$10; on filing a disclaimer or an amendment to a registration, \$10; on filing petition for correction, \$10; on appeal from the examiner in charge of trade-marks to the commissioner, \$15; on appeal from the decision of the examiner in charge of interferences to the commissioner, \$15; for manuscript copies, for every 100 words or fraction thereof, 10 cents; for each printed copy of registration and drawing, 10 cents; for comparing other copies, 5 cents for every 100 words or fraction thereof; for certifying in any case, additional, 75 cents; for each additional registration or application which may be included under a single certificate, 25 cents additional; for recording every assignment or other paper of 300 words or under, \$1; of over 300 and under 1,000 words, \$2; and for each additional thousand words or fraction thereof, \$1; for each additional registration or application included, or involved in one writing where more than one is so included or involved, additional, 25 cents.

Sec. 17. The commission is authorized to refund fees paid by mistake or in excess.

Sec. 18. Any person who shall infringe in commerce any trade-mark registered under sections 1, 2, 3, or 23 hereof or under any previous act shall be liable—

(a) To an injunction restraining infringement of such registered trade-mark.

(b) To pay to the owner such damages as he may have suffered from the infringement.

(c) To pay to the owner all profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only, and the defendant shall be required to prove every element of cost or deduction claimed; but there shall be no recovery of profits from any defendant whose adoption and use of an infringing trade-mark was in good faith and without knowledge of the plaintiff's right thereto, except such profits as accrued therefrom after such defendant had actual notice or knowledge thereof.

(d) If the court shall find that the damages or profits or both are either inadequate or excessive, the court may in its discretion decree the payment of such sum as the court shall find to be just according to the circumstances of the case, such sum to constitute compensation and not a penalty.

(e) To deliver up, on oath, upon such terms and conditions as the court may prescribe, all copies, counterfeits, or colorable imitations of the registered trade-mark, to be impounded during the pendency of the proceeding.

(f) To deliver up, on oath, for destruction, all copies, counterfeits, or colorable imitations of the registered trade-mark, and all plates, molds, matrices, or other means of making the same.

(g) To deliver up, on oath, for destruction, all printed matter containing any copies, counterfeits, or colorable imitations of the registered trade-mark, and all plates, molds, matrices, or other means of making the same; but when such printed matter is a catalogue, or otherwise

consists mainly of noninfringing matter, the objectionable contents thereof may be obliterated or otherwise removed as the court may direct.

(h) The remedy of injunction against infringement of a registered trade-mark may extend throughout the United States or any lesser territory, as may be determined by the court according to the circumstances of the case, and need not be limited to be merely coextensive with the territory within which the owner has used such registered trade-mark; and the court may give the plaintiff the benefit of all other remedies named in this section.

(i) This section shall be applicable only to infringements committed after this act shall take effect; for infringements previously committed the remedies shall be those provided by the statutes heretofore in force.

(j) The benefits of this section shall not inure to entries made under section 5, or to registration under section 4.

(k) Rules and regulations for practice and procedure under this section and under sections 14, 28 (c), and 29 may be prescribed by the Supreme Court of the United States.

SEC. 19. Any court given jurisdiction under this act may, in any action, suit, or proceeding, enter a judgment or decree enforcing the remedies herein provided. It shall be the duty of the clerks of said courts upon the filing of any pleading in any action, suit, or proceeding under this act, to give notice to the commissioner, giving the title of the case and the numbers of the registrations or of any entry which may be involved therein, and upon the entry of each judgment or decree to give notice thereof to the commissioner; and for each such notice the clerk shall tax a fee of 50 cents as costs of suit. It shall be the duty of the commissioner on receipt of each such notice to enter the same in the file wrapper of each registration so named.

SEC. 20. The proceedings for an injunction, damages, and profits, and those for the seizure of infringing trade-marks, plates, molds, matrices, or other means for making such infringing marks may be united in one action.

SEC. 21. The District and Territorial courts of the United States, the District Court of the Canal Zone, and the Supreme Court of the District of Columbia shall have original jurisdiction, and the circuit courts of appeal of the United States and the Court of Appeals of the District of Columbia shall have appellate jurisdiction of all actions, suits, and proceedings under this act, concerning registrations and registered trade-marks, trade names, and devices without regard to diversity or lack of diversity of the citizenship of the parties and irrespective of the amount in controversy, and the judgment of such appellate courts shall be final, except that they may be reviewed by the Supreme Court as provided by sections 239 and 240 (U. S. C., title 28, secs. 346-347), respectively, of the Judicial Code.

SEC. 22. Any injunction which may be granted according to section 14 or section 18 may be served anywhere in the United States, and shall be operative, and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other Federal court having jurisdiction of the party enjoined. The clerk of the court or the judge granting the injunction shall, when requested to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of any necessary papers on which the said injunction was granted that are on file in his office.

SEC. 23. Subject to the same provisions as appear in section 2 hereof relating to trade-marks, so far as the same may be applicable, any person, firm, corporation, union, agricultural or other association, club, or fraternal society, being the owner thereof, may register any trade name or device, including union labels, collective marks, and the marks of associations, used in commerce upon or in relation to specific goods or specific service, in the same manner and with the same effect, and when registered they shall be entitled to the same protection and remedies against infringement as provided herein in the case of trade-marks used upon goods. Applications under this section shall comply as nearly as practicable with the requirements of section 1, and the same procedure shall be followed so far as applicable with respect to trade names and devices as is provided in the sections of this act relating to trade-marks.

SEC. 24. Nothing in this act shall prevent, lessen, impeach, or avoid any remedy at law or in equity which any party aggrieved by any wrongful use of any trade-mark might have had at common law; nor shall anything in this act deprive a defendant in a suit upon any registered trade-mark or in any proceeding under this act of any defenses against the validity of the trade-mark which he would have had if the trade-mark had not been registered.

SEC. 25. All applications for registration and all contested proceedings pending in the Patent Office or in the courts on appeal therefrom at the time this act becomes effective shall be proceeded with under the provisions of this act.

SEC. 26. Any person who shall file application for or procure registration or entry of a trade-mark in the Patent Office by a fraudulent declaration or representation, oral, written, or by any fraudulent means, shall be liable to pay any damages sustained in consequence thereof to the injured party, and such fraudulent declaration or representation shall constitute perjury.

SEC. 27. The commissioner may make rules and regulations, not inconsistent with law, concerning the registration of trade-marks, trade names and devices, the entry of marks under section 5 A hereof and practice in proceedings in the Patent Office. He may require of the applicant or entrant such information and in such form as he deems necessary. He may require nonregistrable matter to be disclaimed, but no such disclaimer shall affect any common-law rights. He may establish a classification of merchandise, for convenience of Patent Office administration, but not to limit or extend the applicant's rights. The applicant may register his trade-mark in one application for any or all goods included in one class upon which the mark has actually been used in commerce. The commissioner may establish a classification under section 23 hereof.

SEC. 28. (a) Any merchandise, whatever may be its source or origin, which shall bear any registered trade-mark or any infringement thereof, except a mark registered under section 1 (b) of the act of March 19, 1920, or under section 4 (a) hereof, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of the registrant to such importation or entry be first had and obtained, or unless such offending mark be removed or obliterated; and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise shall be amenable, at the suit of the registrant, to the liabilities prescribed in section 18 hereof, and in addition be required to export or destroy such merchandise or to remove or obliterate such infringing trade-mark therefrom, and such merchandise shall be subject to seizure and forfeiture for violation of the customs laws. In order to aid the officers of the customs in enforcing this paragraph the registrant may require a copy of the certificate of registration of his trade-mark to be recorded in books which shall be kept for this purpose in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe, and thereupon the Secretary of the Treasury shall cause one or more copies of the same to be transmitted to each collector or other proper officer of customs.

(b) Any merchandise, whatever may be its source or origin, which shall bear the name or a simulation thereof of any domestic manufacture or manufacturer or trader, or of any manufacturer or trader located in any foreign country which by treaty, convention, or law affords similar privileges to citizens of the United States, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of such manufacturer or trader to such importation or entry be first had and obtained, or unless such offending name be removed or obliterated, and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise may be enjoined from dealing therein and in addition be required to export or destroy such merchandise or to remove or obliterate such name therefrom, and the merchandise shall be subject to seizure and forfeiture for violation of the customs laws. In order to aid the officers of the customs in enforcing this paragraph, any such domestic or foreign manufacturer or trader may require a statement of his business or commercial name and the locality where his business is located and where his goods are manufactured to be recorded in books which shall be kept for this purpose in the Department of the Treasury under such regulations as the Secretary of the Treasury shall prescribe, and thereupon the Secretary of the Treasury shall cause one or more copies of such record to be transmitted to each collector or other proper officer of customs.

(c) The owner, importer, or consignee of merchandise refused entry or seized under paragraphs (a) and (b) of this section may have relief against the registrant, manufacturer, or trader by a bill in equity or by a summary proceeding on petition in any court of original jurisdiction named in section 21 in the district where such merchandise is held, or where such registrant, manufacturer, or trader or a designated representative under section 8 or section 15 (a) is an inhabitant or may be found, and after such notice and upon such proceedings as the court may direct, the court may determine whether the plaintiff or petitioner for any reason has the right to import such merchandise under the names or marks which it bears.

(d) A decree or order of such court for the plaintiff or petitioner, upon being certified to the collector of the port where the merchandise is held, shall be warrant to such collector to release the merchandise from arrest or seizure or forfeiture under this section.

(e) Such order or decree, whether interlocutory or final, shall be appealable, and the court making such order or decree may, in its discretion, suspend the operation thereof pending appeal.

SEC. 29. Any person who shall affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, or any false description or representation including words or other symbols, tending falsely to identify the origin of the merchandise, or falsely to describe or represent the same, and shall cause such merchandise to enter into commerce, and any person who shall knowingly cause or procure the same to be transported in commerce, or shall knowingly deliver the same to any carrier to be so transported, shall be liable to an action at law for damages and to a suit in equity for an injunction, at the suit of any person doing business in the locality falsely indicated as

that of origin, or in the region in which said locality is situated, or of any person who is or is likely to be damaged by the use of any false description or representation, or at the suit of any association of such persons, and any article marked or labeled in contravention of the provisions of this section shall not be imported into the United States or admitted to entry at any customhouse of the United States. The owner, importer, or consignee of merchandise refused entry in any customhouse under this section may have any recourse by protest or appeal that is given under the customs revenue laws, or may have the remedy given by paragraphs (c), (d), and (e) of section 28.

SEC. 30. In the construction of this act, unless otherwise plainly apparent from the context, the United States includes and embraces all territory which is under the jurisdiction and control of the United States. The word "State" includes and embraces the District of Columbia, the Territories of the United States, and such other territory as shall be under the jurisdiction and control of the United States. The word "commerce" means all commerce within the control of Congress. The terms "person" and "owner" and any other word or terms used to designate the applicant or other entitled to a benefit or privilege or rendered liable under the provisions of this act, include a firm, corporation, or association, or any legal representative or entity capable of possessing and transferring title, as well as a natural person. The terms "entrant," "applicant," and "registrant" embrace the legal representatives, successors, and assigns of such entrant, applicant, or registrant. The term "commissioner" means the Commissioner of Patents. The term "trade-mark" includes any mark so used as to distinguish the source or origin of the users' goods, and a trade-mark shall be deemed to be applied to an article when it is placed in any manner in or upon either the article itself or the receptacle or package or upon the envelope or other thing in, by, or with which the goods are packed or inclosed or otherwise prepared for sale or distribution. The terms "registration" or "registered" mean registration or registered under this act or under any of the prior acts named in the following sections so long as such registration shall remain in force, but has no application to marks merely entered under section 5. Words used in the singular include the plural, and vice versa. Except as otherwise expressly provided, this act is declaratory of the common law of trade-marks, trade names, and devices and applies such law, so far as concerns registered trade-marks, trade names, and devices, to commerce within the control of Congress, and in case of doubt its provisions are to be construed accordingly.

SEC. 31. This act shall be in force and take effect 60 days after its passage. All acts and parts of acts inconsistent therewith are hereby repealed, including the following, namely: The act of Congress, approved March 3, 1881, entitled "An act to authorize the registration of trade-marks and protect the same," the act approved August 5, 1882, entitled "An act relating to the registration of trade-marks," the act of February 20, 1905 (U. S. C., title 15, secs. 81 to 109, inclusive), as amended, entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations, or among the several States, with Indian tribes, and to protect the same," the act of March 19, 1920 (U. S. C., title 15, secs. 121 to 128, inclusive), entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes," and sections 304 and 526 of the "Tariff act of 1922" (U. S. C., title 19, secs. 141 to 143, inclusive), except that this repeal shall not affect the validity of registrations under said acts, respectively, or rights or remedies thereunder for infringements committed before this act shall take effect. Registrations under previous acts for the unexpired term thereof shall continue in force and effect and reregistration under this act shall not be required. Registrations under the act of March 19, 1920, shall expire in 20 years from the date of registration, and such registrations shall not be used to stop importations under section 28 of this act. Sections 13 and 14 of this act (except par. (a) of sec. 13) shall apply to registrations under the act of March 19, 1920.

SEC. 32. Section 4 of the act of January 5, 1905 (U. S. C., title 36, sec. 4), as amended, entitled "An act to incorporate the National Red Cross," and section 7 of the act of June 15, 1916 (U. S. C., title 36, sec. 27), entitled "An act to incorporate the Boy Scouts of America, and for other purposes," are not repealed or affected by this act.

SEC. 33. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for clerical service, office equipment, stationery, and supplies for carrying into effect this act for the fiscal year ending June 30, 1929, \$50,000, and thereafter such sums as Congress may deem necessary, to be expended by the Commissioner of Patents.

SEC. 34. This act may be cited as the "trade-mark act, 1929."

With the following committee amendments:

Page 2, line 5, after the word "trade-mark," insert the words "on said goods."

Page 2, line 13, strike out "\$10" and insert "\$15."

Page 4, beginning in line 10, strike out lines 10, 11, 12, 13, 14, and 15 and insert:

"(g) Registrations of a mark under the act of February 20, 1905, or under sections 1, 2, 4 (b), and 23 of this act, except under paragraph (f) of section 2 of this act, shall be prima facie evidence of ownership as of the date the application was filed. This shall not apply to registrations under the act of March 19, 1920, or under sections 3 and 4 (a) of this act. Registration of a mark by virtue of paragraph (f) of this section shall be prima facie evidence of secondary meaning distinguishing the registrant's goods as of the date the application was filed. It shall be unlawful for any person other than the registrant, after the date of the registration to use in commerce any registered trade-mark on the same class of goods unless he has begun such use prior to the date of registration."

Page 6, line 15, strike out "(1)" and insert the letter "(a)."

Page 19, line 8, insert "(a)" before the word "Each."

Page 20, line 5, insert "(b)" before the word "Certificates."

Page 20, line 19, after the word "act," strike out the balance of line 19 and all of line 20 and insert the following:

"(c) Applications for renewal of certificates of registration under the acts of March 3, 1881, February 20, 1905, and March 19, 1920, shall be examined and classified as applications under sections 1, 2, 3, 4, or 23, respectively, but they shall not be published for opposition nor, while pending, be involved in interferences, and the certificates of renewal, when issued, shall have the same force and effect as certificates issued under the respective sections of this act."

Page 21, line 13, after the word "under," insert "section 1 (b) of."

Page 21, line 25, after the word "under," insert "section 1 (b) of."

Page 29, line 19, strike out "\$10" and insert "\$15."

Page 29, line 21, strike out "\$20" and insert "\$25."

Page 29, line 22, strike out "\$10" and insert "\$15."

Page 29, line 23, strike out "\$10" and insert "\$15."

Page 30, line 4, after the word "correction," insert "under section 10 (e)."

Page 30, line 5, strike out "\$15" and insert "\$20."

Page 30, line 7, strike out "\$15" and insert "\$20."

Page 30, line 15, after the word "paper," strike out the balance of line 15 and all of lines 16 and 17 down to the word "for" in line 18, and insert in lieu thereof "\$3."

Page 30, line 20, strike out "\$25" and insert "\$50."

Page 30, line 21, strike out "commission" and insert "commissioner."

Page 36, line 10, after the word "by," insert the words "or in opposition or cancellation proceedings employ."

Page 36, line 13, after the word "party," strike out the balance of line 13 and all of lines 14 and 15.

Page 39, line 18, after the word "found," insert the words "or if the registrant is a foreigner and no such designation has been filed, then in the District of Columbia."

Page 40, line 6, strike out the words "such order or decree" and insert in lieu thereof the words "an order or decree for either party."

Page 40, line 7, after the word "appealable," insert the words "provided the petition for appeal is filed in 30 days."

Page 41, line 19, after the word "person," insert the word "user."

Page 42, line 24, strike out the word "passage" and insert the word "enactment."

Page 44, line 16, strike out "1929" and insert in lieu thereof "1930."

Page 44, line 20, strike out "1929" and insert in lieu thereof "1930."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

RADIO RESEARCH INVESTIGATIONS

The next business on the Consent Calendar was the bill (H. R. 10652) to authorize the Secretary of Commerce to purchase land and to construct buildings and facilities suitable to radio research investigations.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, this bill was up the other day under unanimous consent of bills reported from the District of Columbia when I made some observations on it. I think the bill is of a character which departs from the usual policy of the Bureau of Standards in extending its activities away from the central grounds in the District of Columbia, and I think the gentleman from Indiana ought to make some explanation as to the necessity for it.

Mr. ELLIOTT. This bill explains itself. It says that it is a bill for experimental researches in the reception of radio signals. I do not pretend to be an expert on radios, but I do work enough with radios to know that about half the time one gets a boiler factory when he is trying to get something else. The radio is getting better every year, and that is brought about by reason of the fact that some institutions and the bureau are conducting investigations and researches and by reason of that they are enabled to improve conditions surrounding the radio.

What they are proposing to do here is to establish a research station. They already have one radio place out in the Bureau of Standards. They want to put another one in Beltsville, Md., on land that is owned by the Government. Then it is necessary to have a third place out in the country as far away from buildings and electrical disturbances as they can get one, and it is necessary to have in the neighborhood of 200 acres, as I understand. I am not able to explain to this House from a technical standpoint why it is necessary to do this. The Bureau of Standards is the only organization we have that is capable of carrying out this research.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. ELLIOTT. Yes.

Mr. LAGUARDIA. There is a very complete and informative statement on page 2 of the report under the caption "Field Stations for Radio Work at the Bureau of Standards," which I believe carries all the purposes and information necessary. Is it not also true that the art is still in its infancy?

Mr. ELLIOTT. It is.

Mr. LAGUARDIA. And it is necessary to conduct this research and supplementary work at this time, otherwise as the gentleman pointed out a company able to carry on the research work might go ahead and capture the field before this research work could be carried on by the Government.

Mr. JENKINS. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. JENKINS. Did the investigation before the gentleman's committee indicate that the bill will benefit the common radio receiver, or is it a part of something for the special benefit of the big companies?

Mr. ELLIOTT. Anything that will benefit the radio will benefit the user. I think this will inure to the benefit of the common people, who use the radio.

Mr. JENKINS. The gentleman appreciates my inquiry—there is a great sentiment against the big radio control, and does the gentleman think that this will inure to the further benefit of the big men or be reflected to the benefit of everybody?

Mr. HOOPER. Does the gentleman think that this will help to prevent playing radios in apartment houses all night? [Laughter.]

Mr. ELLIOTT. That would be beyond the hope of man. [Laughter.]

Mr. STAFFORD. When this measure was last under consideration I had doubts as to whether similar work is not being carried on by universities. Since then I have been given the assurance that nothing comparable is being undertaken by any university. I am informed—and this is in reply to the gentleman from Ohio—that the work as proposed in this authorization will be for the benefit of the industry in general. The bureau having made the investigation, it will be appropriated by the manufacturers, and in turn redound to the benefit of the large number of users of the radio receivers.

Mr. Speaker, I withdraw my reservation of the objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce be, and he is hereby, authorized to acquire, by purchase or otherwise, for the Bureau of Standards a parcel of land in the vicinity of the District of Columbia, not in excess of 200 acres, provided a suitable site now owned by the Government is not available for the purpose, and to construct thereon buildings, facilities, and equipment suitable for experimental researches in the propagation and reception of radio signals and also to construct upon land now owned by the Government in the vicinity of the District of Columbia, which may be made available for that purpose by any department having jurisdiction thereof, buildings, facilities, and equipment suitable for an experimental radio transmitting station. There is hereby authorized to be appropriated to carry out the foregoing purposes the sum of not to exceed \$147,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

CONSTRUCTION OF RURAL POST ROADS

The next business on the Consent Calendar was the bill (H. R. 7585) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. JENKINS. Reserving the right to object, I notice on page 2 of the bill that the road shall be made and the construction and reconstruction maintained. That indicates that there will be some expense. I would like to ask the gentleman how much the expense will be?

Mr. COLTON. It is the policy of the Bureau of Public Roads, as I understand, to maintain the roads on the national forests, after having constructed them, for a period of about two years. It has been the policy to wait until the construction is fully completed. Then arrangements are made to turn the roads over to the States. I suppose some policy of this kind would be followed as regards roads on the public domain.

Mr. JENKINS. How much mileage is it expected to include?

Mr. COLTON. It would be impossible to say at this time, although this does not make any appropriation. This simply amends the basic law so that in the future Congress may authorize appropriations from time to time to build, connecting the links of the roads on the public domain, and it would be left entirely to Congress in the future to say what, if anything, should be expended under the provisions of this bill.

Mr. JENKINS. What is the necessity for this bill?

Mr. COLTON. We are trying to build interstate transcontinental highways, and there are large areas of public domain in all of the Western States in which there is no taxable property whatever. Therefore, it is impossible to build many connecting links across this public domain which is owned by the Government, unless the Government itself does the building.

For instance, in the State of Nevada something like 85 per cent of all the land is publicly owned. These are well-constructed highways up to Nevada, both east and west, but there is no way at all that the State of Nevada has of constructing many connecting links on those interstate highways which cross the State, and this would enable the Government to build these connecting links.

Mr. JENKINS. As I read this bill it does not apply to any State unless the State has a certain percentage of public lands.

Mr. COLTON. That is it.

Mr. JENKINS. Then it would not apply to any State east of the Mississippi?

Mr. COLTON. No; unless 5 per cent of the land in the State is publicly owned it would not apply.

Mr. JENKINS. Does not the gentleman think it is opening the door to an enormous expenditure of money?

Mr. COLTON. I can hardly imagine that Congress will appropriate any enormous sums. I believe each appropriation will be carefully considered by Congress before any money is expended.

Mr. JENKINS. Then, as I understand this bill, it does not contemplate any immediate demand or request for any money.

Mr. COLTON. Not at this time.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the gentleman from Michigan [Mr. CRAMTON] is not here to-day. He gives these bills a great deal of study. I request the gentleman to permit this bill to go over without prejudice.

Mr. COLTON. I have no objection to that. The gentleman from Michigan [Mr. CRAMTON] has been cooperating in the work of securing help for the building of these roads. His help has been greatly appreciated, and it may be well to let the bill go over.

Mr. COLLINS. Mr. Speaker, before the gentleman makes that request, I have been advised that this bill, if passed, will authorize appropriations of not less than \$20,000,000 and probably would authorize appropriations in sums very much greater than that. It seems to me that the gentleman ought to confer with other persons interested in the bill and ask for a straight-out authorization of, say, not to exceed \$5,000,000. I had prepared an amendment to the effect that the total authorizations by this act shall not exceed \$5,000,000, but it has been hastily prepared, so I hesitate to offer it.

Mr. COLTON. I do not know how the gentleman gets his figures of \$20,000,000.

Mr. COLLINS. I have secured the information from sources that ought to know.

Mr. COLTON. I do not question that at all. The amount to be appropriated, if the bill is passed in its present form, would, of course, be subject to study and scrutiny in the future by Congress, but I believe that the \$5,000,000 mentioned by the gentleman would take care of the present urgent demands, and I would not object to that amendment. The amount would certainly help. I do not believe we would ask, at least for many years, for \$20,000,000.

Mr. COLLINS. My proposed amendment has been hastily prepared.

Mr. COLTON. When we passed similar legislation through both Houses of Congress a few years ago it authorized an appropriation of three and a half million dollars for three years, or \$10,500,000 all together. That is, it would have authorized us to appropriate that amount, but I am informed by those who have been studying this most carefully—and this matter originated in the beginning with the Association of Highway Commissioners of the country—that if we amend the basic law, as

provided in this bill, in the future we could come to Congress and make such representation as the cases would justify, and Congress would then pass on the amount to be appropriated.

Mr. COLLINS. I take it it is an authorization bill.

Mr. STAFFORD. There is no question about that.

Mr. COLLINS. And if it should pass, then any amount, it matters not how much it is, could be appropriated. In other words, you would have authority to appropriate \$100,000,000 or \$150,000,000, and I am certain that ultimately that amount would be appropriated and perhaps more.

Mr. COLTON. I can not imagine Congress doing that, but I do not dispute the gentleman's statement that possibly it could do it.

Mr. STAFFORD. Mr. Speaker, there is warrant for the gentleman's position. When we originally passed the authorization for constructing roads through public forests, we placed a limit of \$5,000,000, I believe, on the amount that could be expended annually. That amount has recently been raised. There should be some limit placed in this bill, if they are going to take over this road construction through the public-land States.

Mr. COLLINS. I think there is justice in the gentleman's bill, but I do think that we ought to fix an outside limit to be appropriated.

Mr. STAFFORD. I understand the purpose of the gentleman's bill is to place the construction in the public domain and Indian lands in the same category with other Government-owned lands, and that in the future it would be left to Congress to say what amount should be appropriated.

Mr. GREENWOOD. This does not authorize any particular amount. Congress would have complete control.

Mr. STAFFORD. But the gentleman ought to know with his experience that if we pass a certain amount in this body, in another body they may load it up to an enormous extent.

Mr. GREENWOOD. But we can not keep them from doing that.

Mr. STAFFORD. If we limit it to a certain amount, we can.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TO FACILITATE ADMINISTRATION OF NATIONAL PARKS

The next business on the Consent Calendar was the bill (H. R. 8163), to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, is it the intention of the gentleman to retain sections 3 and 11 of the House bill?

Mr. COLTON. If there is no objection raised to the consideration of this bill, I shall ask unanimous consent to consider S. 195, which is an identical bill, with sections 3 and 11 included. Sections 3 and 11 at the time we considered the bill in the Public Lands Committee were thought not to be necessary because they would probably be included in the general contract bill, but inasmuch as there is no prospect of passing that bill, I think sections 3 and 11 should be included.

Mr. LAGUARDIA. Then the understanding is that if there is no objection, the gentleman will call up the Senate bill, and the Senate bill contains the same as the House bill, with sections 3 and 11 in it, and that the gentleman will not disturb them?

Mr. COLTON. It is not my purpose to disturb them.

Mr. STAFFORD. Mr. Speaker, I wish to give further consideration to this bill, especially in view of the fact that it is now the purpose to retain sections 3 and 11. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. COLTON. Mr. Speaker, reserving the right to object, this bill is introduced for the purpose of aiding in the administration of national parks. It authorizes by law, in most instances, that which we have been doing for a long time in appropriation bills by special enactment. Of course, I shall not object to the gentleman's request that it be passed over without prejudice, but I do hope that it may be taken up the next time we consider the calendar and passed in time to be effective during this present year in the administration of the parks of the country.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS THE OHIO RIVER AT CANNELTON, IND.

The next business on the Consent Calendar was the bill (H. R. 10258) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, this bill went over without prejudice at my request on the last consent day. It relates to one of the bridge franchises which are held by E. M. Elliott, a professional bridge promoter, and was assigned to the American Bridge Co., an Elliott corporation. I understand the gentleman from Indiana [Mr. DUNBAR] has secured affidavits which show that Mr. Elliott is no longer connected with this project, by reason of the fact that he did not start work as agreed before March 22, 1930. I am satisfied from the affidavits that they have eliminated Elliott. With the assurance of the gentleman from Indiana that that agreement will be carried out, I do not propose to object to the consideration of the bill.

But while I am on my feet I want to protest and protest vigorously against the action of the Committee on Interstate and Foreign Commerce in bringing in a report of this character. If you will read the report, you will find on page 2 a letter by Arthur J. Lehman, secretary to the Hawesville-Cannelton Bridge Co., addressed to Mr. DUNBAR, in which this sentence occurs:

In one of your letters you indicated some knowledge of our previous connection here in New York. I am glad to tell you that early in April we will sever our connection with—

Then there is a blank space. The name of the man we were trying to prevent from obtaining bridge franchises has been deleted.

Mr. LAGUARDIA. Was that name deleted from the letter by Mr. Lehman, or was it deleted by the committee?

Mr. COCHRAN of Missouri. If it was deleted by the secretary, we should know it; and, if it was deleted by the committee, we should have some explanation. The final sentence says:

And the financing and construction of our bridge will be handled by some very reputable people here in New York.

I hope they keep their word.

I will not oppose the consideration of the bill if the gentleman from Indiana will insert in the RECORD the letters he has received from his constituents, as well as the statements of the officers of the bridge company.

Mr. LAGUARDIA. I would like to have these affidavits read.

Mr. DUNBAR. Shall I send them to the Speaker's desk, or shall I read them? This communication is dated Cannelton, Ind., April 15, 1930, as follows:

CANNELTON, IND., April 15, 1930.

To the COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
House of Representatives, Washington, D. C.:

In the matter of H. R. 10258, a bill to extend the time for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.

The undersigned, Lee Rodman, vice president of the Hawesville & Cannelton Bridge Co., Cannelton, Ind., being duly sworn, deposes as follows:

1. That E. M. Elliott is not connected in any way with the Hawesville & Cannelton Bridge Co.; that he has received no compensation and that he is not to receive any compensation from the Hawesville & Cannelton Bridge Co. in connection with this bridge bill or with any other matter.

2. On March 22, 1929, the Hawesville & Cannelton Bridge Co. assigned their right, title, and interest to the American Bridge & Ferry Co., a Delaware corporation, in a certain congressional enactment, H. R. 16565, on condition that a bridge was to be placed in construction not later than March 22, 1930, and if construction had not been started by that time the assignment was to be null and void.

The American Bridge & Ferry Co. have not started construction, and prior to March 22, 1930, a legal notice was sent to them, notifying them that the assignment above referred to was null and void and would not be renewed.

THE HAWESVILLE & CANNELTON BRIDGE CO.,
LEE RODMAN, Vice President.

Subscribed and sworn to before me this 15th day of April, 1930.

BETTIE SUTCLIFFE,
Notary Public.

My commission expires December 8, 1933.

INDIANA COTTON MILLS,
Cannelton, Ind., April 15, 1930.

Hon. JAMES W. DUNBAR,

House of Representatives, Washington, D. C.

DEAR MR. DUNBAR: Your telegram of the 11th to Mr. A. J. Lehman has been referred to me in his absence.

I inclose affidavit stating that Mr. E. M. Elliott is not connected with us in any way and has received no compensation.

Your telegram gives Mr. Elliott's initials as C. N., whereas my records show that his initials are E. M., and I have used his correct initials in the affidavit.

With best regards, I am yours truly,

LEE RODMAN.

CANNELTON, IND., March 11, 1930.

HON. EVERETT DENISON,

*Chairman of Interstate and Foreign Commerce Committee,
Congressional Office Building, Washington, D. C.*

DEAR MR. DENISON: This has regard to H. R. 10258, introduced by Mr. DUNBAR on February 25, 1930, seeking time extension to H. R. 16565, the latter being made a law March 1, 1929.

The Hawesville-Cannelton Bridge Co. is strictly a local organization, consisting of citizens residing in Cannelton, Ind.; Hawesville, Ky.; and Tell City, Ind., as shown along the left of this letter.

The Hawesville-Cannelton Bridge Co. is not affiliated with any foreign promotional organization and has no outside connection except that of its engineers, Robinson & Steinman, 117 Liberty Street, New York, who are in their employ.

We seek this time extension because—

The country-wide collapse of all securities prevented our securing proper finances with which to begin construction of our bridge during the period granted us in the original bill, H. R. 16565.

In view of our new financial structure now nearing completion, we have several reputable bridge builders ready to begin construction.

Our preliminary plans, traffic reports, as well as the general opinion of our citizens, are indicative that a bridge at this point is most desirable and necessary.

Both Indiana and Kentucky Highway Commissions look with favor upon our bridge movement and are already building highways in anticipation of a more efficient river crossing at this location.

We propose that all financing, construction, and operation be consummated economically without the usual promotional expense—the latter having already been assumed by our own citizens in a public-spirited manner.

In conclusion, we point with pride to the overwhelming enthusiasm of our citizens and to the manner in which they have contributed moneys liberally to the cause. This, we feel, is our most convincing proof of the sincerity of our people in beseeching your committee to approve the extension of time to the original enactment. This also is your assurance that we "mean business," and that we will not assign or "peddle" our franchise for lucrative promotion.

We will thank you now for your diligent consideration of our cause, which we are confident will be given it.

Yours very truly,

HAWESVILLE & CANNELTON BRIDGE CO.,
ARTHUR J. LEHMAN, Secretary.

BALTIMORE, MD., February 18, 1930.

MR. HERBERT WEBB,

*Treasurer Hawesville & Cannelton Bridge Co.,
Cannelton, Ind.*

MY DEAR MR. WEBB: Your favor of February 15, referring to House bill (H. R. 16565), permitting of the building of a bridge across the Ohio River, duly received. The facts in the case are as follows:

The above franchise has been assigned to American Toll Properties Corporation, which company is at the present moment interested in the efforts being made by the Tidewater Toll Properties (Inc.), a subsidiary company, to finance and build a bridge at or near Cambridge, Md.

The recent upset in the stock market has, up to the present time, made it very difficult to float new stock issues, and the American Toll Properties Corporation felt that it was wise to complete the bridge projects it had begun here in Maryland before undertaking to underwrite or promote the Cannelton bridge.

This does not in any sense indicate lack of faith in the Cannelton bridge, but rather indicates the conservative and careful manner in which we operate.

I expect to pay an early visit to your section for the purpose of verifying and following up previous surveys made of this proposed bridge, our board feels that this bridge should be the next one to receive our attention.

Unquestionably our success with local bridges here will make the financing and building of your bridge much easier.

We are pleased to say that the business atmosphere, so far as it relates to bridge securities, is becoming clearer every day, and we have the utmost confidence in the future and success of toll bridge securities and further trust that we may have your continued cooperation and confidence in our efforts to give you this bridge at the earliest possible moment.

In view of the fact that this franchise expires March 1, we deem it of utmost importance that steps be taken at once to procure a renewal of the same, and would appreciate your taking such steps, immediately

in order that we may adhere to the policy outlined herein, namely, taking this bridge up for our next active project.

You may count upon us for our cooperation in every way.

Very truly yours,

AMERICAN TOLL PROPERTIES CORPORATION,
HENRY G. PERRING, Chief Engineer.

MR. LA GUARDIA. The gentleman has just read from the affidavit the language "a Delaware corporation, in a certain congressional enactment."

MR. DUNBAR. Yes; "a Delaware corporation in a certain congressional enactment," H. R. 16565, on condition that a bridge was to be placed in construction not later than March 22, 1930, and if construction had not been started by that time the assignment was to be null and void and would not be legal.

This letter is signed by Lee Rodman, vice president of the Hawesville & Cannelton Bridge Co., and subscribed and sworn to before a notary.

MR. LA GUARDIA. That affidavit, or what purports to be an affidavit, states in one of the propositions cited, that whatever rights the Hawesville & Cannelton Bridge Co. may have in connection with the bill, H. R. 10258, or the previous bill, was assigned to the American Toll Properties Corporation on condition that the work would be commenced before a certain date, and then it says that the work was not commenced and therefore the contract was null and void. Let me ask the gentleman what was the purpose of extending the life of the franchise to the bridge company?

MR. DUNBAR. It does not extend the time to anybody except the Hawesville & Cannelton Bridge Co., which is composed of some of the best business men of Cannelton. Those other men are not now connected with this company, and any arrangement entered into is now null and void, and we are so informed.

The proposed bridge between Cannelton, Ind., and Hawesville, Ky., which will span the Ohio River, is the only bridge between Louisville and Henderson, Ky., a distance of about 300 miles. There is a railroad bridge at Evansville and there is agitation for a passenger bridge. When this bridge is constructed the bridge at Cannelton and Hawesville will be 125 miles below Louisville by river and about 100 miles to Evansville. It will be the only bridge in a distance of 225 miles to span the Ohio River and will connect up territory in Indiana and Kentucky which is required by the development in these two States.

Cannelton is within 4 miles of Anderson Creek, from where Abraham Lincoln piloted boats across the Ohio River, and within about 30 miles of the place Abraham Lincoln's mother died and where he lived as a boy until the time he was 21 years of age. The distance from Hawesville to the place where Abraham Lincoln was born in Hardin County, Ky., is 50 miles. This bridge will afford the shortest route to go to the birthplace of Abraham Lincoln and to his mother's grave than any other that now exists.

Four miles above, on the Ohio River, from where the proposed bridge is to be located, is where Lafayette took refuge on the Indiana shore after the boat he was on struck some treacherous rocks in the river and sank. He was protected from the inclemency of the weather by a perpendicular rock 100 feet high and a log bonfire was built in order that he and his companions might dry their clothes, and where they remained for about 20 hours until assistance came from Louisville.

The three cities of Hawesville, Ky., Cannelton and Tell City, Ind., are industrial centers and this bridge will afford connection with the world so as to materially promote trade within a radius of from 75 to 100 miles from Cannelton and, I judge, an equal distance from Hawesville, Ky.

All of the protections in the bill are afforded for its eventually becoming a free toll bridge in 10 years' time, less minimum charges that may be made to pay for the operations of the bridge.

Objection is made to the construction of this bridge because of some connection of Mr. Elliott with the project. He has and will not receive compensation. He is entirely out of the picture and will not be employed either directly or indirectly by the company, but it will be financed by people of the cities of Hawesville, Ky., and Cannelton and Tell City, Ind., and on a legitimate basis.

MR. LA GUARDIA. Was the original bill granted to the American Bridge & Ferry Co.?

MR. KINCHELOE. The Hawesville & Cannelton Bridge Co., which is a corporation composed of the business men of the town.

MR. LA GUARDIA. Elliott was connected with that, was he not?

MR. KINCHELOE. Not with that but the one this was assigned to. Hawesville is in Kentucky, in my district, across the

river from Cannelton. Those people have written to me about this bill, and I have written to them and said that if this man Elliott is in any way connected with the measure I will have nothing to do with it. I agree with the sentiment of the gentleman from Missouri on that subject.

At that time they did enter into negotiations with Elliott for this proposition. I want to assure the gentleman, in behalf of the business men of Cannelton and Hawesville, that they are as anxious to get rid of this man Elliott as the gentlemen are.

Mr. LAGUARDIA. May I ask the gentleman from Illinois [Mr. DENISON] a question? I will say to my colleague, the gentleman from Illinois [Mr. DENISON], that he has usually been very fair and courteous, and some of us are quite shocked, and feel that an attempt has been made to put something over on us. I will submit that frankly to the gentleman from Illinois [Mr. DENISON]. The report contains a letter written by the secretary of the Cannelton-Hawesville Bridge Co., and a blank is inserted in that letter which led many of us astray. It concealed the fact that Elliott has his fingers in this proposition, and, to that extent, it was tainted.

I wish to say to the gentleman from Illinois [Mr. DENISON] that it is not playing fair to delete from a letter the name of a man which causes some of us who are interested in these bills much concern and worry.

Mr. DENISON. Will the gentleman yield?

Mr. LAGUARDIA. I will yield.

Mr. DENISON. I will say to the gentleman from New York [Mr. LAGUARDIA] that this matter came up while I was absent in Illinois, and I am not familiar with it. I never saw the report before and I do not know anything about it. The subcommittee tries to be perfectly frank, and if we have any suspicion that the party to whom the gentleman objects has any connection with a bridge, we do not report that bill out. I do not know anything about it, frankly.

Mr. LAGUARDIA. Now, it is interesting, as a matter of record, to note that the gentleman from Indiana [Mr. DUNBAR] and the gentleman from Kentucky [Mr. KINCHELOE], who have looked into the matter, say that there was no consideration passed by Elliott to the bridge company, the Hawesville-Cannelton Bridge Co. Are we agreed about that?

Mr. DUNBAR. I will say to the gentleman from New York [Mr. LAGUARDIA] that Mr. Elliott never received one dollar.

Mr. LAGUARDIA. The gentleman from Indiana [Mr. DUNBAR] does not understand me. Elliott had absolutely nothing of value to convey to this bridge company? Are we agreed on that?

Mr. DUNBAR. I do not know whether he had or not, but I know that they have no further connection with him. They have severed all relationship with him, and he is not again to appear in the picture.

Mr. HOOPER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. HOOPER. Does the gentleman know this man Elliott who is involved here?

Mr. DUNBAR. I never knew of this Mr. Elliott; never knew he was connected with the case; knew nothing about him, until the gentleman from Missouri [Mr. COCHRAN] told me that he was an objectionable character.

Mr. HOOPER. I want to say that I hope somebody sometime will extend his remarks by putting in the RECORD a brief biographical sketch of Mr. Elliott. He has been kicked around here like a football for the last three or four years.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. HOOPER. No. I will not yield until I finish what I was going to say. This man has been kicked around like a football for the last three or four years. He has been painted as black as Satan himself. Does the gentleman not think he is good to his family; good to his children? Is there not some good in the man? If there is not, can we not have somebody extend his remarks and show him up as black as he is, and quit wasting time on Mr. Elliott?

Mr. COCHRAN of Missouri. If the gentleman from Michigan [Mr. HOOPER] will refer to the record he will find that I placed in the record a copy of the indictment returned against Elliott in the Federal court in Florida and a record of the action of the court after his plea of guilty to defrauding the United States Government in connection with income-tax returns.

Mr. HOOPER. Many men have been indicted and have never been found guilty.

Mr. COCHRAN of Missouri. I also placed in the RECORD his plea of guilty and the sentence received for defrauding the Government of \$125,000. The bridge he made the money out of cost \$2,400,000 to construct, and \$2,500,000 more as finance and promoter's charges were added.

Mr. LAGUARDIA. I am not concerned with Elliott's soul. The gentleman from Michigan [Mr. HOOPER] will have to con-

sult his spiritual advisor about that, but I am concerned about toll bridges and bridges connecting public highways being peddled out to men of this kind who misrepresent their influence with Congress and sell something they have not got to sell.

Mr. HOOPER. I will say that I feel the same way the gentleman from New York [Mr. LAGUARDIA] does about the matter; but there should come a time when one individual, whoever he is, however mean he may be, will not have to take up page after page of the CONGRESSIONAL RECORD in recording the denunciations and vituperations against him.

Mr. LAGUARDIA. That is not our fault. That is the fault of giving permits to this man who goes out and peddles them.

Mr. DENISON. The gentleman is now referring to the committee.

Mr. LAGUARDIA. Certainly I am.

Mr. DENISON. The committee has never given him any permit.

Mr. LAGUARDIA. He has certainly worked his way in.

Mr. DENISON. The committee makes due inquiry and that is as far as we can go.

Mr. LAGUARDIA. But we find Elliott in all of these bills. We do not bring him in.

Mr. COCHRAN of Missouri. The gentleman will not deny that Congress has passed bills for E. M. Elliott and associates and the American Bridge & Ferry Co.

Mr. DENISON. Yes. I deny that statement.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object.

MESSAGE FROM THE PRESIDENT—COINAGE OF SILVER 50-CENT PIECES IN COMMEMORATION OF SEVENTY-FIFTH ANNIVERSARY OF THE GADSDEN PURCHASE (H. DOC. NO. 354)

The SPEAKER laid before the House the following message from the President, which was ordered printed:

To the House of Representatives:

Herewith is returned, without approval, H. R. 2029, "An act to authorize the coinage of silver 50-cent pieces in commemoration of the seventy-fifth anniversary of the Gadsden purchase."

This bill provides that in commemoration of the seventy-fifth anniversary of the acquisition by the United States of the territory known as the Gadsden Purchase, there shall be coined in the mints of the United States 50-cent pieces to the number of 10,000, to be of a design fixed by the Director of the Mint and approved by the Secretary of the Treasury. The coins are to be legal tender and are to be issued only upon the request of the Gadsden Purchase Coin Committee, in such numbers and at such times as they shall request.

The matter is not perhaps one of large importance in itself, were it not for the fact of the great number of other similar proposals by the aggregate of which the principles of sound coinage are being jeopardized. Moreover, the multiplicity of these demands have largely destroyed their interest and value for the purposes intended.

During the past 10 years 15 such special coins have been issued, an average of one each eight months, an aggregate of over 13,000,000 such coins having been authorized. There are now pending before Congress five other bills for such coinage and before the Treasury Department several other requests for support to proposals of the same character.

The monetary system of the country is created and exists for certain well-defined and essential purposes. Sound practice demands that it should not be diverted to other uses, if we are best to serve the needs of trade and commerce, satisfy the convenience of the people, and protect the integrity of our coins. Experience has demonstrated that the necessities and convenience of the people can best be served and the integrity of our coins can only be protected from counterfeiting by limiting the number of designs with which in the course of time the public can become thoroughly familiar. Indeed, the Congress itself has recognized the soundness of this principle by providing that "no change in the design or die of any coin shall be made oftener than once in 25 years from and including the year of the first adoption of the design, model, die, or hub from the same coin."

The growing practice of issuing commemorative coins, incidentally to be sold at a profit and provide funds for projects or celebrations, appears to me to run counter to this principle and by their multiplicity to have become a misuse of our coinage system. These coins do not serve for circulating medium which is the real function of coins. They introduce an element of confusion and lack of uniformity. The danger of counterfeit coins being successfully passed is unquestionably increased by a multiplicity of designs, with which the public can not become thoroughly familiar. Furthermore, the very premiums at which these coins are sold stimulate counterfeiting of them.

There are a great many historical events which it is not only highly proper but desirable to commemorate in a suitable way, but the longer use of our coins for this purpose is unsuitable and unwise. This would seem to be clear from the very number of events to be commemorated, and past experience indicates how difficult it is to draw the line and how such a practice, once it is recognized, tends constantly to grow. If this bill is to become law, it is not apparent on what grounds similar measures, no matter how numerous, may be rejected. Yet their enactment in such numbers must bring further confusion to our monetary system. The Government would be glad to assist such celebrations in the creation of appropriate medals which do not have coinage functions.

HERBERT HOOVER.

THE WHITE HOUSE, April 21, 1930.

Mr. PERKINS. Mr. Speaker, I move that action on the veto message of the President be postponed until immediately after the reading of the Journal to-morrow.

The SPEAKER. The gentleman from New Jersey moves that consideration of this message be postponed until to-morrow, after the conclusion of the reading of the Journal.

The motion was agreed to.

BRIDGE ACROSS THE OHIO RIVER

Mr. DUNBAR. Mr. Speaker, I ask unanimous consent that H. R. 10258, a bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind., be passed over without prejudice and retain its place on the calendar.

The SPEAKER. The gentleman from Indiana asks unanimous consent that House bill 10258 be passed over without prejudice and retain its place on the calendar. Is there objection?

There was no objection.

CONSTRUCTION OF A DAM ACROSS ROBINS COVE, CHESTER RIVER, MD.

The next business on the Consent Calendar was the bill (S. 3135) granting the consent of Congress to Helena S. Raskob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Helena S. Raskob, and her successors and assigns, to construct and maintain a dam at a point on her property across Robins Cove, a small tributary of the Chester River, near the town of Centreville, in the county of Queen Annes, in the State of Maryland, in accordance with the provisions of section 9 of the river and harbor act, approved March 3, 1899: *Provided,* That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

AIR MAIL ACT

The next business on the Consent Calendar was the bill (H. R. 9500) to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation by authorizing the Postmaster General to establish air mail routes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SANDERS of New York. Mr. Speaker, a substitute bill having been prepared, and which bill will be considered this afternoon under suspension of the rules, I ask unanimous consent that this bill be laid on the table.

The SPEAKER pro tempore. Without objection the bill will be laid on the table.

There was no objection.

INVESTIGATION OF THE MOVEMENT OF TIDES IN PASSAMAQUODDY AND COBSCOOK BAYS

The next business on the Consent Calendar was House Joint Resolution 243, authorizing an appropriation to defray one-half of the expenses of a joint investigation by the United States and Canada, of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. JENKINS. Mr. Speaker, reserving the right to object, in view of the fact that this bill calls for the expenditure of quite a lot of money, I think we should have some explanation from those interested in it.

Mr. NELSON of Maine. Mr. Speaker, this is a matter of great importance and one of considerable emergency. It is not only of national importance, but of especial interest to all New England.

This legislation was the subject of a special message from the President to Congress in February. In that communication he recommended the appropriation of this amount of money and inclosed a further communication from the Department of State also recommending the appropriation of this money.

This need arises out of the necessity of determining the effect of a great proposed hydroelectric development on important fisheries of the United States and Canada in the Gulf of Maine. It is an international matter, a subject of diplomatic intercourse between the two countries that can only be adjusted between them, as their national interests may appear.

Mr. JENKINS. I take it that is the reason this resolution was referred to the Committee on Foreign Affairs.

Mr. NELSON of Maine. Yes; and that is the only way it could be adjusted. I would say it involves the ultimate construction of a great hydroelectric plant between Maine and New Brunswick, utilizing the tide waters of the Bay of Fundy, which will be comparable in importance, size, and development to that of Boulder Dam or Muscle Shoals. They have already expended on the preliminary work about \$350,000, and if it is found that this development will not seriously injure the fisheries it is proposed to expend from \$75,000,000 to \$100,000,000 in its completion. This will furnish work for 5,000 men for four years, and furnish as much electricity as the development on the American side of Niagara Falls, about 3,000,000,000 kilowatt-hours yearly. This power will be distributed throughout all of New England and throughout eastern Canada.

Mr. JENKINS. This bill only provides for an expenditure of \$45,000 at this time.

Mr. NELSON of Maine. Yes. It is a matter which is being promoted by Americans, but Canada has offered to pay her share of \$45,000, and, through correspondence, is asking this Government to pay its share. This would be an impartial investigation for the benefit of the two Governments.

Mr. JENKINS. I notice from the report that they propose to use the force of the tides. Is that a new departure from a mechanical and engineering standpoint?

Mr. NELSON of Maine. I am not sure, but I will say that this is probably the only place in the world where a development of this kind could be constructed. The tide waters pour into the Bay of Fundy from the Gulf of Maine, and the tides vary from 27 feet in height to something like 16 feet, with a mean height of 18½ feet. They propose to build dams from the mainland and between the connecting islands, and so create one great body of water of about 64,000 acres, to be filled by the rising tide. That water will then pour down into a second basin of about 32,000 acres. There will be a drop of about 13 feet and the water will be run through turbines.

Mr. JENKINS. Is it a fact that our distinguished President has recommended this bill?

Mr. NELSON of Maine. Yes. It is a diplomatic matter, so that a private company can do nothing until there has been an adjustment between the two countries. It is a matter of international interest because of the probable effect on the fisheries.

Mr. JENKINS. The fact that our distinguished President has recommended the passage of this bill constrains me to withdraw my reservation of objection.

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, the gentleman from Maine [Mr. NELSON] clearly states this is a private project.

Mr. NELSON of Maine. What does the gentleman mean by a private project?

Mr. LaGUARDIA. It will be supported and operated by private capital and is not a Government agency.

Mr. NELSON of Maine. Yes; but we are not asking the Government to build this as they built Muscle Shoals or as they are to build Boulder Dam. This is not a proposition to finance this company.

Mr. LaGUARDIA. That is just the reason for my question. We are to investigate whether or not this project will interfere with fishing conditions up there.

Mr. NELSON of Maine. Yes.

Mr. LaGUARDIA. That being so, why should this investigation be conducted at the expense of the Government?

Mr. MARTIN. If I may interrupt, this request comes from the Government itself.

Mr. LAGUARDIA. I understand that.

Mr. MARTIN. The Canadian Government has asked the United States Government to cooperate in the investigation. The power company has not asked for it.

Mr. NELSON of Maine. It could not be done by them.

Mr. MARTIN. They could not pay this money because we would then be in a position where a private company would be treating with a foreign government.

Mr. LAGUARDIA. May I ask the gentleman from Massachusetts this question? Let us assume the investigation should indicate that this project would be destructive to fish life; what are the rights of the Canadian Government under such conditions?

Mr. MARTIN. This permit, undoubtedly, would not be granted, and that is why they wish to have an investigation—to be certain that the fisheries will not be disturbed. There are in these two bays a fishing industry amounting annually to \$1,000,000, and the Canadian Government is fearful the construction of these power works will interfere with the propagation of the fish.

Mr. LAGUARDIA. May I now go into the details of the bill? Why is it necessary to provide here that the allowances for subsistence may be expended notwithstanding the provisions of any other act?

Mr. MARTIN. This is the regular form—

Mr. LAGUARDIA. No; this is not regular; it is quite unusual. Would the gentleman object to striking out this parenthetical provision?

Mr. MARTIN. This bill came from the Bureau of Fisheries, and they have reached an understanding as to how the investigation should be conducted.

Mr. LAGUARDIA. Yes; we have passed that stage. Now, why provide in this particular instance that the expenditure of the money may be made contrary to all existing statutes, when we have several of these commissions working?

Mr. MARTIN. There is, of course, the fact that there are to be Canadian investigators, and perhaps our standards may be different from theirs.

Mr. LAGUARDIA. We have nothing to do with them.

Mr. NELSON of Maine. They will have to work jointly, and I think that must be the reason.

Mr. LAGUARDIA. The provision here is "including travel and subsistence, or per diem in lieu of subsistence, compensation of employees, stenographic and other services," and that is quite all right, but you insert the language "notwithstanding the provisions of any other act." Suppose we strike out that proviso, and if you find it is necessary you can insert it in the other body and I shall not object to it when it comes back; but I think in the interest of orderly legislation we ought to strike it out, so that other departments will not come in and ask for the same thing.

Mr. MARTIN. I have no objection.

Mr. HOOPER. If the gentleman will permit, I have not personally had an opportunity to make a study of this bill; but as I understand this is the great experiment that has been projected for a long time past into the matter of harnessing the tides of the Bay of Fundy.

Mr. MARTIN. The gentleman is correct.

Mr. HOOPER. Has there ever been any experiment along this line on a large scale before?

Mr. MARTIN. No; I think they will be pioneering in this work.

Mr. HOOPER. That is what I understood.

Mr. MARTIN. Already they have expended half a million dollars in these experiments.

Mr. HOOPER. And the tides of the Bay of Fundy are the highest in the world and, theoretically, the most powerful.

Mr. MARTIN. Yes.

Mr. LAGUARDIA. I hope this will mean we will get cheap rates at least in New England.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read as follows:

House Joint Resolution 243

Resolved, etc., That the sum of \$45,000 is hereby authorized to be appropriated to defray one-half of the expenses of an investigation to be made jointly by the United States and Canada of the probable effects of proposed developments to generate electric power from the movement of the tides in Passamaquoddy and Cobscook Bays on the fisheries of that region, including travel and subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), compensation of employees, stenographic and other services, rent of offices in the District of Columbia or elsewhere by contract if deemed necessary,

printing and binding, purchase of necessary equipment, charter of vessels, and such other expenses as may be authorized by the Secretary of State.

With the following committee amendment:

Page 1, line 6, after the word "proposed" insert the word "international."

The committee amendment was agreed to.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 2, line 1, after the word "subsistence," strike out the words "notwithstanding the provisions of any other act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

COLLECTION OF CONSTRUCTION COSTS AGAINST INDIAN LANDS WITHIN IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 5282) authorizing the deferring of collection of construction costs against Indian lands within irrigation projects, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. LAGUARDIA. Mr. Speaker, in the absence of the gentleman from Michigan, I ask that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

APOSTLE ISLANDS NATIONAL PARK

The next business on the Consent Calendar was the bill (H. R. 8763) to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park, to be known as the Apostle Islands National Park, in the State of Wisconsin, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill a question. I notice on page 2 the language providing for an appropriation is stricken out. What is the reason for that? It is rather a strange situation.

Mr. PEAVEY. I can explain that in a word. The bill was drawn originally on the advice of an employee of the department, and the amount was fixed as stated by him that would be necessary for a survey. But after the bill was introduced and before it was considered by the committee I was advised by the department that they had sufficient funds in an appropriation made in a prior Congress for this general purpose and that no additional appropriation would be necessary.

Mr. JENKINS. Then there will be no extra expense, for this has already been provided for in the National Park Service?

Mr. PEAVEY. Yes.

Mr. HOOPER. Mr. Speaker, I am in a position to corroborate what has been said by the gentleman from Wisconsin as to why the language was stricken from the bill. But I want to add a word further. This project is simply an investigation to determine whether this shall be taken over as a national park. The region is one of rare scenic beauty, and in all probability, unless some action is taken, private interests will acquire all these islands. People who know something about these islands will be glad to know that we are going to have an investigation and make a report back to Congress as to the advisability of making these islands a national park. I am heartily in favor of the measure.

Mr. JENKINS. Mr. Speaker, I withdraw my reservation.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to investigate and report to Congress as to the desirability and practicability of establishing a national park to be known as the Apostle Islands National Park, located in the northern part of the counties of Ashland and Bayfield, in the State of Wisconsin, and known as the Apostle Island Group in Lake Superior, for the benefit and enjoyment of the people of the United States and to preserve said area in its natural state, including in his report full information as to the ownership, value, estimated cost to acquire, and character of the lands involved, and his opinion as to whether such areas measure up to national-park standards. And there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500, or so much thereof as may be necessary, for expenses of such investigation.

The following committee amendment was read:

On page 2, line 7, after the word "standards," strike out the balance of the paragraph.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

AMENDING THE ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF AGRICULTURE, APPROVED MAY 16, 1928

The next business on the Consent Calendar was the bill (H. R. 10037) to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1929, and for other purposes," approved May 16, 1928.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENDING THE PROVISIONS OF PUBLIC RESOLUTION NO. 47, SEVENTY-FIRST CONGRESS

The next business on the Consent Calendar was the bill (H. R. 10818) to extend the provisions of Public Resolution No. 47, Seventy-first Congress, entitled "Joint resolution for the relief of farmers in the storm, flood, and/or drought-stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I make a point of order that the bill is not properly before the House in that the bill seeks to amend existing law and the report accompanying the bill does not comply with the Ramseyer rule, showing what new provision is inserted and what matter is stricken from the bill.

Mr. LEAVITT. It was my intention if the bill was considered to substitute the Senate bill which has already passed the Senate.

Mr. LAGUARDIA. That being so how will the House be informed as to what the bill does?

Mr. LEAVITT. I can explain it to the House.

Mr. LAGUARDIA. The gentleman did explain it once before and I objected to it.

Mr. LEAVITT. That is true.

Mr. STAFFORD. I want to say that I am going to object if the gentleman from New York does not.

Mr. LEAVITT. In view of the emergency that this is intended to take care of, I am sure that the gentleman would not object to the bill because of the error of the Agricultural Committee in making up its report. I did not make the report.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEAVITT. Yes.

Mr. STAFFORD. I well remember the first bill that was brought into the House to make loans to farmers in the Northwest, I think in North Dakota, making advances for the purpose of purchasing seed grain. We have gone ahead and gone ahead. It is now proposed by this bill, not to provide clothing for the farmers, but almost that, because it provides not only loans for fuel oil and gasoline for tractors, but authorizes the department to go into the business of purchasing oil and gas to furnish to the mendicant farmers. Why would not the next logical step be, because a man has not proper clothing or hosiery or shoes, for the Government to purchase his wearing apparel?

Mr. LEAVITT. Of course there is no objection to striking out the provision with regard to the purchase of gas by the Government. That was merely language in the preparation of the bill put in by the department itself.

Mr. STAFFORD. Of course the department is paternalistic in its desire to purchase everything and supply the farmers with everything they need. I happen to be one of the old-fashioned kind of legislators who do not believe that the Government should go into private business.

Mr. LEAVITT. I would be glad to accept an amendment to strike that out. This is a bill that has already passed the Senate through introduction by Senator WHEELER, and already for two weeks the making of these loans has been under way. The Department of Agriculture has made a rule that no farmer who got a crop of more than 5 bushels of wheat to the acre last year may receive the benefit of this loan. Those who had a crop of more than that are not being given any benefit under this loan.

Mr. JENKINS. It seems to me that a man who can not produce more than 5 bushels to the acre ought not to be helped at all.

Mr. LEAVITT. The drought period was very exceptional last year.

Mr. LAGUARDIA. Coming from the city let me see if I get this correctly. If I remember correctly we were assured that when this money would be loaned that there would be a lien taken upon the crop, and the department now thinks that if they have any chance of having a crop they will not get the money, but the department is going to lend it to farmers who will not get a crop.

Mr. LEAVITT. Oh, no. Ordinarily in that section good crops are produced, but last year there were droughts that reduced the crops, which made necessary the loans now being made. An objection to this bill will not stop that. There are farmers in this section who farm with tractors rather than with horses. Under the present law the horse feed can be purchased, and those who require tractor fuel to put in their crop are not able to get the same small loan, which in some cases is absolutely necessary.

Mr. JENKINS. Would not the Federal Farm Loan Board act cover such cases as this?

Mr. LEAVITT. Oh, no.

Mr. LAGUARDIA. The reason is that they have to have some sort of collateral.

Mr. GREEN. In case they buy this machinery, do they take collateral against the machinery?

Mr. LEAVITT. Yes.

Mr. GREEN. I know in the case of the loans made in our section of the country, they paid back 80 per cent of them, and expect to get all of them.

Mr. STAFFORD. Oh, we have not yet gone quite so far as to buy farm machinery.

Mr. LEAVITT. I did not mean to say that in any case here there is any provision for buying farm machinery. It is a case of allowing these loans to apply to the farmers who have to have fuel for tractors to put in their crops, just the same as it does for horse feed to put in the same crops. The farmer on one side of the fence, as I explained once before, can get this benefit, while a farmer on the other side under the same conditions can not get the benefit because he has been buying a small tractor on time. Some one asked me the question as to whether he could not put up his tractor against a loan. That often is one of his difficulties. He is buying his tractor on time payments and he can not put that up as collateral. The Government is operating in a very careful way, and if anyone is able to get a loan in any other way, the Government is not making it to him. If he had a crop last year of 5 bushels of wheat to the acre or more, they are leaving him out and saying that he had enough crop to look out for himself.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, what about my point of order that the bill does not comply with the Ramseyer rule, in that the report does not show what new matter is added to existing law or what matter is stricken from it.

The SPEAKER pro tempore. Has the gentleman from Montana anything to say about that?

Mr. LEAVITT. I can not defend the report. I did not make the report. It comes from the Committee on Agriculture. If it is not in form, that is our misfortune. I greatly hoped that under the emergency of this bill that point of order would not be made.

Mr. LAGUARDIA. Mr. Speaker, I do not want to be put in the position that I am blocking an emergency. I received a letter from Mr. Legge only a few days ago that we have too much surplus products on hand now, and I fail to see where there is any emergency; but perhaps I am wrong again.

Mr. LEAVITT. I think I can show the gentleman that he is wrong in that, because this is in a settled community, with people who are living on the land, who have their homes and their investments, who are supporting schools and other institutions, who are usually prosperous. We have already made loans to those who have horses to get the horses fed, and we are not doing anything if we defeat this bill except to discriminate in favor of one class of people of a community as against another class of people in the same community.

The SPEAKER pro tempore. The Chair will overrule the point of order because the Ramseyer rule does not apply to bills of this character.

Mr. LAGUARDIA. I ask unanimous consent to pass over the bill without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CITIZENSHIP AND NATURALIZATION OF MARRIED WOMEN

The next business on the Consent Calendar was the bill (H. R. 10960) to amend the law relative to the citizenship and naturalization of married women, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I understand this is the bill which the Speaker is going to recognize on a motion to suspend the rules?

Mr. JOHNSON of Washington. Yes.

Mr. LAGUARDIA. What does it do?

Mr. JOHNSON of Washington. It amends the act of 1922 so that married women married at that time will have the same right as those married since that time.

Mr. LAGUARDIA. In a case where a married woman seeks to retain her citizenship while marrying an alien with a title, she is required to renounce such title if she wants to retain her American citizenship.

Mr. JOHNSON of Washington. There are not enough of such cases where a woman married a man of that class and secured a divorce and wishes to return to the United States and resume her citizenship here. This is for the relief of women returning or coming back to this country, who were married prior to the enactment of the Cable Act, and it provides that she shall have the right acquired after that.

Mr. LAGUARDIA. The matrimonial market is now flooded with impecunious foreign counts and dukes, and if American girls want to marry those chaps, if they want to marry titles, they should renounce their American citizenship.

Mr. STAFFORD. Cases have been called to my attention recently of American women who married aliens, who labored under the impression that their fathers had been naturalized. Those women were born in this country and have continued to live here. The parents of the alien husband came over when the children were of a young age, and yet those women, American born, are deprived of their citizenship under the existing law. When the original bill was passed it was not the intention to take away the citizenship from Americans who married foreigners and continued to reside in this country.

May I ask the gentleman from Washington if his committee gave any consideration to excepting women with that status and to allow those women to retain their rights, having been born here, regardless of the fact that they have married foreigners and whose husbands thought they were duly naturalized, and who were laboring under a mistaken belief that their fathers had been naturalized?

Mr. JOHNSON of Washington. This covers that.

Mr. STAFFORD. Oh, it does not cover that case.

Mr. JOHNSON of Washington. This applies to all women.

Mr. STAFFORD. I do not think your remedial clause goes far enough. I think we should give those women of the States I have referred to immediately their right of citizenship.

Mr. GREEN. How about the children then?

Mr. STAFFORD. A child born in the United States becomes a citizen when it becomes of age.

Mr. GREEN. Will you bring Chinese and Japanese back here?

Mr. STAFFORD. I am not referring to those. Children born here, when they become 21 years of age are, under the Constitution, entitled to the full privileges of American citizens.

Mr. GREEN. Suppose a woman marries in China and brings her children back here. Would the children be Chinese citizens?

Mr. STAFFORD. Oh, that is like the case of an ambassador having a child born while abroad. There was the notable case of George B. McClellan, who was born in Europe while his parents were abroad, but he became a citizen as of right, just as much as if he had been born in the United States, although he was born in a foreign country. He was considered as having been born on United States soil.

I have a case arising out in my county—Waukesha County—of a woman who married a young man who came over from Wales as a child and voted, thinking that his father had become fully naturalized. Later on it was discovered that his father had not taken out his complete naturalization papers.

Mr. JOHNSON of Washington. I think that is the usual naturalization form.

Mr. STAFFORD. We ought to grant her her right instantaneously. Mr. JOHNSON of Washington. If we do not do that, will you hold the bill up?

Mr. STAFFORD. I have an amendment here. I am surprised that the gentleman did not give that phase of the question consideration. There are many similar cases.

Mr. FISH. Is this bill in conformity with the action taken by the American delegation recently at The Hague conference in refusing to approve Article I of the proposed world code of law because it contained distinctions based on sex?

Mr. JOHNSON of Washington. Yes. The witnesses were Miss Dorothy Straus, an attorney, New York City, who represented the National League of Women Voters, who had charge of the presentation of the testimony on behalf of the organizations; Miss Margaret Lambie, representing the National Federation of Business and Professional Women, New York City; Miss Harlean James, Washington, D. C., representing the American Association of University Women; Miss Alice Edwards, Washington, D. C., the American Home Economics Association; Miss Cecilia Razovsky, New York City, chairman of the department of service to the foreign born of the National Council of Jewish Women; Mrs. E. E. Danly, representing the national board of the Young Women's Christian Association; Mrs. Clarence Fraim, representing the General Federation of Women's Clubs; Mrs. Ellis Yost, representing the Woman's Christian Temperance Union; and Mr. Edward S. McGrady, Washington, D. C., representing the American Federation of Labor.

Communications in support of the same principle were received from Miss Elizabeth Christman, secretary of the National Woman's Trade Union League, and from Mrs. Adena Miller Rich, of the Immigrants' Protective League. H. R. 10960 is also indorsed by the National Woman's Party through their legislative representative, Mrs. Max Rotter, and Miss Maud Younger.

Mr. FISH. This is a very important piece of legislation and should be made known to the House, because the American delegation at The Hague Conference for the Codification of International Law just refused to sign article 1 of the proposed code, although 40 other nations did sign it, because it contained discriminations against sex. The American delegates refused to sign with, I believe, the authority of the State Department; and as a result the United States was the only nation which declined to approve the code unless rewritten in conformity with the principle of sex equality on nationality. This bill carries out that principle.

Mr. JOHNSON of Washington. This bill is based on the Cable Act, passed in 1922, which gave independent citizenship to women married after that date in 1922.

Mr. FISH. Yes; and this bill extends the provisions of the Cable Act.

Mr. JOHNSON of Washington. This bill goes beyond the fact. The Cable Act was satisfactory until the quota law was passed. That stopped the operation of the Cable Act to a certain extent. The bill is not offensive. It can not reach all naturalization troubles. This bill has not passed heretofore because it has been a part of the large recodification of naturalization laws, which it is impossible to get out of the committee.

Mr. FISH. I am trying to point out the importance of passing the bill at this time. Our delegates refused to sign the present Hague Nationality Code, although 40 other nations did sign, and it would be most unfortunate if the Congress did not uphold the hands of the American delegates by approving this bill.

Mr. JENKINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. JENKINS. Does the gentleman not think, from his study of this bill, that while the bill may not reach every possible contingency that may arise, it does go quite a distance toward alleviating the situation?

Mr. STAFFORD. There is no question about that. It relieves the situation somewhat.

Mr. JENKINS. From the hearings before our committee, I gather it to be the substance of this bill that at the present time there are certain impediments against American-born women who have been expatriated being repatriated. The purpose of this bill is to remove every possible impediment?

Mr. STAFFORD. I am in sympathy with that provision, and I had hoped it would cover the case I cited. I will not press my amendment, in view of the proposal to have the bill pass in its present form.

Mr. GREENWOOD. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. GREENWOOD. In passing this bill, does it not remove the presumption that an American-born woman, unless she does some overt act of assuming citizenship or going there to live, still retains her American citizenship? If she does commit some

overt act or go through the necessary requirements to become a citizen there, then it simplifies the possibility of her becoming a citizen here again or coming back? It simplifies the application for her citizenship.

Mr. JOHNSON of Washington. That is the purpose of the bill.

Mr. GREEN. Reserving the right to object, Mr. Speaker, suppose an American woman married a German in Germany and lived in Germany for 10 or 12 or 15 years, and children were born to her in Germany, and she decides to come back to America and bring her children with her, can she enter, under the provisions of this law, and assume American citizenship?

Mr. JOHNSON of Washington. Yes; just the same as if she had been married since 1922. Time is running. All American women who married, no matter whom they married, after September 2, 1922, have independent citizenship in their own right.

Mr. GREEN. That is going pretty far.

Mr. JOHNSON of Washington. It would have been all right not to go behind that fact had we not passed the quota law, which put limitations on the number that may return to the United States.

Mr. GREEN. Then, she can bring her German children with her?

Mr. JOHNSON of Washington. Yes. They would have to go through the proper process to get their citizenship.

Mr. LAGUARDIA. Is it not true that there would be a presumption of expatriation in that case, and the children could not come in as American citizens?

Mr. JOHNSON of Washington. They could not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last three sentences of section 3 of the act entitled "An act relative to the naturalization and citizenship of married women," approved September 22, 1922 (relating to the presumption of loss of citizenship by married women by residence abroad), are repealed, but such repeal shall not restore citizenship lost under such section 3 before such repeal.

SEC. 2. (a) Section 4 of such act of September 22, 1922, is amended to read as follows:

"SEC. 4. (a) A woman who has lost her United States citizenship by reason of her marriage to an alien eligible to citizenship or by reason of the loss of United States citizenship by her husband may, if eligible to citizenship and if she has not acquired any other nationality by affirmative act, be naturalized upon full and complete compliance with all requirements of the naturalization laws, with the following exceptions:

"(1) No declaration of intention and no certificate of arrival shall be required, and no period of residence within the United States or within the county where the petition is filed shall be required;

"(2) The petition need not set forth that it is the intention of the petitioner to reside permanently within the United States;

"(3) The petition may be filed in any court having naturalization jurisdiction, regardless of the residence of the petitioner;

"(4) If there is attached to the petition, at the time of filing, a certificate from a naturalization examiner stating that the petitioner has appeared before him for examination, the petition may be heard at any time after filing.

"(b) After her naturalization such woman shall have the same citizenship status as if her marriage, or the loss of citizenship by her husband, as the case may be, had taken place after this section, as amended, takes effect."

(b) The amendment made by this section to section 4 of such act of September 22, 1922, shall not terminate citizenship acquired under section 4 before such amendment.

SEC. 3. Subdivision (f) of section 4 of the immigration act of 1924, as amended, is amended to read as follows:

"(f) A woman who was a citizen of the United States and lost her citizenship by reason of her marriage to an alien, or the loss of United States citizenship by her husband, or by marriage to an alien and residence in a foreign country."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

DELINQUENT LANDS ON IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 11200) to provide for the acquisition, sale, and closer settlement of delinquent lands on irrigation projects by the Government to protect its investment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, in view of the absence of the gentleman from Michigan, I ask that this matter go over without prejudice.

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

PAROLE OF UNITED STATES PRISONERS

The next business on the Consent Calendar was the bill (H. R. 9674) to amend an act to parole United States prisoners, and for other purposes, approved June 25, 1910.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill to give some explanation of how it affects the deportation laws at present.

Mr. CHRISTOPHERSON. The bill provides that an alien prisoner in the Federal penitentiary, who is eligible for parole, may be paroled and deported, but under the law now he can not be deported. He must remain within the jurisdiction of the court while under parole; as a consequence such prisoner is not granted a parole, therefore, the result is he must remain in prison until his full term has expired.

Mr. JENKINS. Is the gentleman familiar with the facts in those cases where the Governor of New York had some trouble involving this proposition?

Mr. CHRISTOPHERSON. I do not recall those particular cases.

Mr. LAGUARDIA. I can inform the gentleman. That was where an alien was convicted under the State law and paroled under the State law. It would not be affected by this bill, because this bill affects Federal prisoners only.

Mr. CHRISTOPHERSON. Yes; aliens who are in Federal penitentiaries. Under the law as it is now they must remain until their terms have expired, while with this law, when eligible for parole, they may be surrendered to the Labor Department for deportation, thereby reducing the time the Government must maintain them in prison.

Mr. JENKINS. With the result of a saving in the cost of their keep in the institutions?

Mr. CHRISTOPHERSON. Yes. There will be that saving during the time which would intervene between the time they are eligible for parole and the expiration of their sentences.

Mr. JENKINS. The gentleman from New York [Mr. LAGUARDIA] has answered the point I had in mind. The gentleman will remember that the Governor of New York had quite a tiff with the immigration officials over the surrender of prisoners who were aliens. The governor would not parole them or grant them any pardon of any kind until they had served their last day.

Mr. CHRISTOPHERSON. The Department of Justice says this will greatly help them in shortening the terms of these prisoners and thereby relieve the congestion of Federal prisons, as well as reducing the cost.

Mr. LAGUARDIA. I think what the gentleman wanted to say was that the State would not relinquish such prisoners until their terms had expired, but this bill would not affect that situation. May I ask this question of the gentleman from South Dakota? It has come to me since the bill left our committee. Suppose a prisoner refuses to accept parole?

Mr. CHRISTOPHERSON. I do not believe he would have anything to say about it. I think that when the time came for a parole and a prisoner is paroled then he is released from the penitentiary, and the Department of Labor could take custody of him for the purpose of deportation.

Mr. LAGUARDIA. Of course, that could be tested in the first case on a habeas corpus proceeding.

Mr. CHRISTOPHERSON. Yes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act of June 25, 1910 (ch. 387, 36 Stat. 819; title 18, sec. 716, U. S. C.), be amended by adding at the end thereof the following: "Provided, That where a Federal prisoner is an alien and subject to deportation the board of parole may authorize the release of such prisoner after he shall have become eligible for parole on condition that he be deported and remain outside of the United States and all places subject to its jurisdiction, and upon such parole becoming effective said prisoner shall be delivered to the duly authorized immigration official for deportation."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CHARLES J. HARRAH

The next business on the Consent Calendar was House Joint Resolution 248, authorizing an appropriation for the expenses of the arbitration of the claim of Charles J. Harrah against the Government of Cuba.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, and I am going to object, for this reason: It is quite all right to arbitrate claims of citizens, and it is a proper function of the State Department to protect the interests of American citizens whose rights have been infringed upon by foreign governments. But my objection to the bill is that while the Department of State shows a great deal of solicitude for Mr. Harrah, the Department of State has studiously and purposely avoided protecting Mr. Joseph E. Barlow, whose case against Cuba is even more meritorious than the case covered in this bill. If the committee will accept an amendment providing for an arbitration in the case of Joseph E. Barlow then I shall not object to this bill. But I am going to object if you are going to protect Mr. Harrah and allow Mr. Barlow to be deprived of his rights in Cuba.

Mr. HOOPER. Mr. Speaker, I further reserve the right to object. I am not sure I shall object, but I think the report accompanying the bill is quite inadequate for the purpose of giving to the membership of the House any real knowledge of the situation. We do not know from the report how this claim arises. I see it refers to honoraria to be paid to the commissioners. I do not know anything about whether these honoraria are fixed fees or whether they are gratuities to be paid by the governments to these people. In fact, in the report there is very little which gives such a history of the matter as those who have studied it—in the meager time we ordinarily have to study these matters—would like to have. I wish the gentleman from Pennsylvania, if he knows the history of this case, as I presume he does, would tell us something of the story, and why we are called upon in this way to pay the expenses of what is really a private arbitration.

Mr. TEMPLE. If the gentlemen will withhold their objections for the present I shall be very glad to make a statement about the case, although I did not expect to have to do that. I supposed the chairman of the committee would be here, and I had not seen, until this afternoon, the report which he had written. I remember, however, the testimony taken by the Foreign Affairs Committee with regard to this case.

A protocol has been signed between the United States Government and the Government of Cuba providing for this arbitration, and the President has asked for an appropriation to pay the expenses of the arbitration.

The dispute arose over a railroad that was built in 1908 by Mr. Harrah. It was a short road—about 12 kilometers long—to bring sand and gravel to a point at which it would connect with another railroad. There was a building boom in Habana at the time, with a chance for a good profit on the sand and gravel.

Mr. LA GUARDIA. Was it a narrow-gage road?

Mr. TEMPLE. At the time it was a narrow-gage road, but it was changed later to a standard gage.

Mr. HOOPER. Was it a road leading from a sugar plantation?

Mr. TEMPLE. No; not from a sugar plantation, but from a deposit of sand and gravel, which could be marketed profitably in Habana because of the building boom. The railroad was built over the public domain. Application was made for a permit. The permit was expected, and in the meantime the road was built under the supervision of Cuban officials. It was built as a narrow-gage road, but at the suggestion of the Cuban officials the bridges and the approaches were made wide enough to carry a standard-gage road and it was afterwards made standard gage. The permit which had not been granted when the road was built was afterwards approved. Then a dispute arose between Mr. Harrah and his agent in Cuba, Mr. Harrah being in this country and the agent attending to affairs there. The agent is said to have appropriated the profits to himself. Mr. Harrah entered suit against his agent in the Cuban courts and won the suit. His right to the road was confirmed by the Cuban courts.

But in the meantime when the agent saw that the lawsuit was about to go against him, he had influence enough with the Secretary of the Treasury of Cuba, so Mr. Harrah claims, to get an order issued for the destruction of the railroad. The order was issued by the secretary and approved by the President of

Cuba. Through some error in the office of the Government in Cuba the order was really for the destruction of another railroad which Mr. Harrah had been authorized to build but had never built. In spite of this error, to which the attention of the Government authorities was called, they went ahead and the rural guard of the Republic of Cuba blew up the bridges and tore up the rails and destroyed the road.

The dispute which followed has been going on for some years and now the Cuban Government and the American Government have agreed to arbitrate and this bill is for the expenses of the arbitration.

Mr. HOOPER. If the gentleman will permit one further question, the result of this arbitration would be either what we might call a verdict of no cause of action or else a judgment in favor of Mr. Harrah for damages against those who were responsible for the destruction of the railroad; is that so?

Mr. TEMPLE. Yes.

Mr. HOOPER. Then in case the judgment was in Mr. Harrah's favor, would there be reimbursement to the United States Government for the amount expended for honoraria, clerk hire, and so on?

Mr. TEMPLE. That question was asked in committee and the representatives of the Department of State stated it was customary to have the person who received the compensation reimburse the State Department for its expenditures.

Mr. HOOPER. And does the gentleman understand that would be done in this case?

Mr. TEMPLE. That is my understanding.

Mr. HOOPER. Provided, of course, the result was favorable to Mr. Harrah.

Mr. TEMPLE. Yes. I would like to suggest in regard to the other case which the gentleman from New York has mentioned that the gentleman from New York introduce a bill providing for the relief of the man whose case he mentions—whatever relief may be necessary—whether by arbitration or otherwise, and have that bill go to the Committee on Foreign Affairs. I never heard of the case the gentleman has mentioned. We can only act on the cases that are brought before us.

Mr. LA GUARDIA. I will say to the gentleman that I have been in Congress for some time, and I am not as young and innocent as I used to be, and I know that if I introduced a bill—

Mr. TEMPLE. The gentleman is still quite young.

Mr. LA GUARDIA. I know that if I introduced a bill at this time I would get a 48-page adverse report from the Department of State, because the Department of State has not given Joseph E. Barlow a square deal, and I protest at this time. I am going to hold up this bill and let the Department of State come down to the gentleman's committee and explain its failure to protect the rights of this American citizen who has been through the Cuban courts, who can not have his judgments enforced, and who is being deprived of his property at this time.

Mr. TEMPLE. The gentleman is so anxious to have the Department of State deal fairly that he refuses to allow it to deal fairly in this case.

Mr. LA GUARDIA. Exactly.

Mr. HOOPER. Will the gentleman yield?

Mr. TEMPLE. Yes.

Mr. HOOPER. Does the claim to which the gentleman from New York is referring grow out of this claim?

Mr. TEMPLE. I have no knowledge of it.

Mr. LA GUARDIA. No; it is not related to this case at all.

Mr. TEMPLE. The case the gentleman is referring to has never been brought before the committee at all. I never heard of it until I heard of it from the gentleman from New York a few moments ago.

Mr. LA GUARDIA. Everybody in the United States except the Department of State and the Committee on Foreign Affairs of this House knows about the Barlow claim. I will say that, with all due deference to the gentleman from Pennsylvania.

Mr. TEMPLE. The gentleman is accustomed to making broad statements that, of course, need qualification.

Mr. LA GUARDIA. That statement does not need any qualification.

Mr. MOORE of Virginia. If my friend will permit, may I call attention to a fact which I think ought to be considered in this connection? This arbitration has already been arranged and the proceedings will go forward as soon as the appropriation is made. There is a solemn arrangement between the Government of the United States and the Government of the Republic of Cuba, and the arbitration is to be of the same character as many arbitrations we have conducted heretofore. For instance, at the Geneva arbitration the United States was a party to the arbitration proceedings in behalf of its own citizens, and in this case the United States is exactly in that status. It is a party

to the arbitration in behalf of the citizen who makes the claim. I do not think there can be any good ground for the position of my friend when he admits that this claim and the Barlow claim of which he speaks have no relation to each other. If that is the reason for disapproving the resolution, it will in effect mean that one citizen shall be punished because the State Department may be in default in some other case.

Mr. LAGUARDIA. I will go further and say that they are not related at all, they are not connected at all, but I say it is the duty and the function of the Department of State to treat all citizens alike.

Mr. MOORE of Virginia. I think so, but there may be a hundred citizens in the same status as Mr. Barlow; and does my friend think he ought to hold up a case that is meritorious, as this seems to be, because the State Department has not dealt with some other case or some other 100 cases?

Mr. LAGUARDIA. There are not 100 cases such as Mr. Barlow's. There is only one case of that kind.

Mr. PALMER. If the gentleman will yield, I am inclined to think this is a meritorious case, and I think the gentleman from New York is doing this gentleman an injustice in penalizing him because he has a similar case—

Mr. LAGUARDIA. Oh, no; I have no interest in the Barlow case at all. He is not a citizen of my State.

Mr. PALMER. If the gentleman has a case of similar nature, I think he should not penalize this man, inasmuch as arrangement has been made for arbitration. The gentleman would be doing this man an injustice and doing the Nation an injustice.

Mr. LAGUARDIA. I want the Department of State to distinguish these two cases, and I would like to have this bill go over without prejudice.

Mr. TEMPLE. The gentleman has called attention to the Barlow case, and certainly that accomplishes all that he intended.

Mr. LAGUARDIA. Oh, no.

Mr. TEMPLE. Would it not be wise to allow this bill to go through rather than do an injustice to Mr. Harrah?

Mr. LAGUARDIA. I do not want to do any injustice to Mr. Harrah, but I am going to ask the Department of State to distinguish between the two cases. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RECONSTRUCTION OF BRIDGE ACROSS THE HUDSON RIVER AT STILLWATER, N. Y.

The next business on the Consent Calendar was the bill (H. R. 11046) granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Stillwater, N. Y.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Mr. Speaker, I think this is an unusual bill and calls for an explanation.

Mr. PARKER. Mr. Speaker, this is a bill that authorizes the reconstruction of a bridge that has been there for 40 years. The Highway Department of the State of New York thought they had a perfect right to go on and reconstruct it, and the Army engineers granted them consent to go on. The bridge connects two important highways. The reconstruction of the bridge has to be authorized by Congress.

Mr. JENKINS. This act will legalize the reconstruction?

Mr. PARKER. It legalizes the repairs and reconstruction of the bridge.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, That the consent of Congress is hereby granted to the State of New York to construct, maintain, and operate a free highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, at or near Stillwater, Saratoga County, N. Y., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike out all after the enacting clause and insert the following in lieu thereof:

"That the bridge now being reconstructed across the Hudson River at Stillwater, N. Y., by the State of New York, if completed in accordance with plans accepted by the Chief of Engineers and the Secretary of War, as providing suitable facilities for navigation, and operated as a free bridge, shall be a lawful structure, and shall be subject to the con-

ditions and limitations of the act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, other than those requiring the approval of plans by the Secretary of War and the Chief of Engineers before reconstruction of the bridge is commenced.

"Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

The title was amended.

PROTECTION OF LAND IN NORTHERN MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 6981) to promote the better protection and highest public use of the lands of the United States and adjacent lands and waters in northern Minnesota for the production of forest products, the development and extension of recreational uses, the preservation of wild life, and other purposes not inconsistent therewith; and to protect more effectively the streams and lakes dedicated to public use under the terms and spirit of clause 2 of the Webster-Ashburton treaty of 1842 between Great Britain and the United States; and looking toward the joint development of indispensable international recreational and economic assets.

Mr. NOLAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

ADDITION OF CERTAIN LANDS TO THE FREMONT NATIONAL FOREST, OREG.

The next business on the Consent Calendar was the bill (H. R. 3717) to add certain lands to the Fremont National Forest in the State of Oregon.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS. Reserving the right to object, I would like to ask the author of the bill the possible extent of the bill and what it will do.

Mr. BUTLER. Mr. Speaker, it will add 96,000 acres of land to the present Fremont Reserve. That is practically the number of acres that will be added which will be to the great benefit of the reserve to which it is added, as well as the Government of the United States.

Mr. JENKINS. Where is this 96,000 acres coming from?

Mr. BUTLER. It is Government land.

Mr. JENKINS. Will there be any expense to the Government?

Mr. BUTLER. No; it will save expense to the Government, and that is the reason we are asking for it.

Mr. STAFFORD. Reserving the right to object, I would like the attention of the gentleman from Oregon, because I assume that he is cognizant with the condition of the territory involved in the purview of the bill. I notice in the report, and I assume that is the reason, or a major occasion for the bill being brought in under the national forest, this statement:

None of the lands are cultivated, but they are quite extensively used during the summer months for grazing, and because of lack of management are being overgrazed.

I took occasion a week or more ago when a similar bill was up for consideration providing for taking public domain into some national park, to call attention to the outrageous policy pursued by these robber grazers appropriating public land for their own aggrandizement, until the land is impoverished? How much of this public land has been overgrazed?

Mr. SMITH of Idaho. What does the gentleman mean when he speaks of the "robber barons"?

Mr. STAFFORD. It is notorious that these large, rich ranchmen of Wyoming and Idaho have pilfered the public lands until they are impoverished. They have lined their pockets with filthy lucre accruing from the grazing of their herds on the public lands.

Mr. SMITH of Idaho. This legislation is intended to correct that situation by placing the public lands in the national forest, so that they can be controlled and a fee can be charged for their use.

Mr. STAFFORD. I am calling attention to a condition that was called to the attention of the country by President Roosevelt, and yet no action has been taken up to this time. The only remedy the gentleman has proposed is by bringing these lands into national parks. Now, can the gentleman from Oregon tell us the extent that the public lands have been overgrazed?

Mr. BUTLER. Mr. Speaker, for a number of years efforts have been made to restrict the grazing of the public domain. This is one of a number of efforts that have been made to protect the public domain and prevent overgrazing. In this particular parcel of land there are 96,000 acres, approximately. Some of it juts up into the main Fremont Forest Reserve and some of it zigzags, and under the situation which has existed since we have had no public domain land law, with innumerable Congresses meeting and remeeting, there has been no law to cover the grazing of the public domain. There has been a law governing and controlling the national forests. The national forest into which this land juts and zigzags across will be under that control, and the object of this particular bill covering about 96,000 acres and bringing it into the forest reserve is to enable the Government to receive some benefit from it and thereby enable it to pay out something with which to employ rangers to protect the forests and to protect this land and the grazing.

Mr. STAFFORD. Can the gentleman inform the House how much of the public domain outside the national forests is susceptible of grazing?

Mr. COLTON. If the gentleman will permit, there are about 200,000,000 acres in the 11 Western States in the public domain, and a large part of it is grazed some time of the year.

Mr. STAFFORD. Has the gentleman any information as to how much of that public domain is overgrazed, as is the case with this particular tract?

Mr. COLTON. I should say the larger part of it.

Mr. STAFFORD. What corrective measures has the gentleman's committee taken to meet that condition rather than bring the land into the national forests?

Mr. COLTON. We have pending before the Public Lands Committee bills to authorize the regulation and control of grazing upon the public lands. A commission has been appointed by the President to make a study of the entire public-domain problem, and our bills are simply waiting the study and report of that commission, which must be not later than December 1, 1930.

Mr. STAFFORD. Has that commission been appointed, and is it now at work?

Mr. COLTON. Yes; it has been appointed and has done some work.

Mr. STAFFORD. Has the gentleman any private information which can be made public as to when the commission will make its report?

Mr. COLTON. I have not.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, subject to any valid existing claim or entries, all lands of the United States in the areas hereinafter described be, and the same are hereby, added to and made parts of the Fremont National Forest, to be hereafter administered under the laws and regulations relating to the national forests; and the provisions of the act approved March 20, 1922, entitled "An act to consolidate national-forest lands," as amended, are hereby extended and made applicable to all other lands within the said described area:

Sections 31 and 32, township 25 south, range 10 east; township 26 south, ranges 9, 10, 11, and 12 east; township 27 south, ranges 9, 10, 11, and 12 east; township 28 south, ranges 9, 10, 11, and 12 east; all Willamette base and meridian.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

VALIDATING APPLICATIONS FOR ENTRIES OF PUBLIC LANDS

The next business on the Consent Calendar was the bill (H. R. 9849) validating certain applications for and entries of public lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, reserving the right to object, this seems to be a sort of omnibus bill validating certain claims. What is there about the entries of these claims that they can not be completed under the general land laws? What is the reason for a bill like this?

Mr. COLTON. Each particular section has a peculiar reason for its inclusion. For instance, if the gentleman will take the first case in the bill and read the letter found on page 2 of the report, he will find an explanation of the particular reason for including this item.

Mr. GREENWOOD. Does this make any exception or give this man any greater rights than he can get under the general land law?

Mr. COLTON. It is usually to correct some particular case that has arisen that is not covered by the general land law, where the equities are altogether with the entryman and an injustice will be done if no legislation is passed.

Mr. GREENWOOD. Has the gentleman's committee gone into the merits of each one of these?

Mr. COLTON. Yes. Every year since I have been in Congress we have passed a bill of this kind. We have made careful investigation in each case, and we find there are particular equities that make it necessary to pass the bill.

Mr. GREENWOOD. And they are entitled under the equity to this, without making any exception or increasing their rights above entries generally?

Mr. COLTON. Precisely.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLTON. Mr. Speaker, I ask unanimous consent to consider Senate bill 3477, which is an identical bill, except as to section 11 of the House bill, which is not attached to the Senate bill, and I shall offer an amendment at the proper time to add section 11 to the House bill.

The SPEAKER pro tempore. The gentleman from Utah asks unanimous consent that Senate bill 3477 be considered in lieu of H. R. 9849, and that H. R. 9849 be laid on the table. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue patents upon the entries hereinafter named upon which proof of compliance with law has been filed, upon the payment of all moneys due thereon:

Stock-raising homestead entry, Cheyenne, Wyo., No. 035545, made by William D. Brydon on August 24, 1921, for the northeast quarter, section 21, northwest quarter of the northwest quarter, section 22, and east half of the northwest quarter, southwest quarter and northwest quarter of the northwest quarter, section 15, township 32 north, range 79 west, sixth principal meridian.

Stock-raising homestead entry, Miles City, Mont., No. 046599, now Billings 019823, made by Jennie K. Wells (now Jennie K. Chaffin) on January 15, 1921, for the east half of the west half, west half of the east half, section 9, and west half of the southeast quarter, east half of the southwest quarter, southeast quarter of the northwest quarter, and southwest quarter of the northeast quarter, section 4, township 9 south, range 49 east, Montana principal meridian.

Stock-raising homestead entries, Cheyenne, Wyo., Nos. 044849 and 045077, made by Edwin M. Ballinger on November 8, 1924, and September 8, 1926, respectively, for lots 3 and 4, section 11, south half of the southwest quarter, northeast quarter of the southwest quarter, southwest quarter of the southeast quarter, and lot 6, section 12, and northwest quarter of the northeast quarter, and northwest quarter of the northwest quarter, section 13, township 51 north, range 103 west, sixth principal meridian.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to reinstate homestead entry, Glenwood Springs, Colo., No. 014808, made by William T. Jones on April 20, 1918, for lot 1, southeast quarter of the northeast quarter, southwest quarter of the northeast quarter, north half of the southeast quarter, and southwest quarter of the southeast quarter, section 6, and west half of the northeast quarter section 7, township 3 north, range 102 west, sixth principal meridian, which is hereby validated, and to issue patent thereon upon submission of satisfactory proof of compliance with the law.

SEC. 3. That the Secretary of the Interior be, and he is hereby, authorized and directed to accept final proof submitted July 16, 1928, on homestead entry, Alliance, Nebr., No. 020335, made on June 16, 1924, by the heirs of Mahala F. Edwards, deceased, for the southeast quarter of the southwest quarter section 23, and east half of the northwest quarter section 26, township 22 north, range 57 west, sixth principal meridian: *Provided, however,* That patent shall not be issued thereon until proof is made showing compliance with the provisions of the act of June 17, 1902 (32 Stat. L. 388), and acts amendatory thereof and supplemental thereto.

SEC. 4. That the Secretary of the Interior be, and is hereby, authorized and directed to allow John J. McInerney, of Nashua, Mont., to make homestead entry for the south half of the northwest quarter section 23, township 31 north, range 42 east, Montana principal meridian, upon payment of the appraised price of the land.

SEC. 5. That stock-raising homestead entry, Sacramento, Calif., No. 018236, made by Theresa Alexander on April 14, 1924, for the west half of lot 2 of the northeast quarter, the southeast quarter of the northeast quarter, northeast quarter of the southeast quarter, and the south half of the southeast quarter, section 3, township 23 south, range 11 east, Mount Diablo meridian, be, and the same is hereby, validated.

Sec. 6. That where a conveyance of land has been made or may hereafter be made to the United States in connection with an application for amendment of a patented entry or entries, for an exchange of lands, or for any other purpose, and the application in connection with which the conveyance was made is thereafter withdrawn or rejected, the Commissioner of the General Land Office is hereby authorized and directed, if the deed of conveyance has been recorded, to execute a quitclaim deed of the conveyed land to the party or parties entitled thereto.

Sec. 7. That the Secretary of the Interior be, and he is hereby, authorized to accept the final proof submitted by Donald Skougard in support of his stock-raising homestead entry, Salt Lake City, Utah, No. 033922, made on July 28, 1924, for the southeast quarter, east half of the northeast quarter, section 34, southwest quarter, south half of the northwest quarter, southwest quarter of the southeast quarter, section 35, township 30 south, range 17 west, and lots 1, 2, 7, and 8, section 3, township 31 south, range 18 west, Salt Lake meridian, and to issue patent thereon.

Sec. 8. That the Secretary of the Interior be, and he is hereby, authorized to accept the final proof submitted by Orange A. Roode on January 15, 1929, in support of his additional stock-raising homestead entry, Buffalo, Wyo., No. 017490, made on November 15, 1923, for the southeast quarter of the southwest quarter and southwest quarter of southeast quarter, section 19, township 55 north, range 81 west, sixth principal meridian, upon payment therefor at the rate of \$1.25 per acre.

Sec. 9. That the Secretary of the Interior be, and he is hereby, authorized to exchange, under the provisions of section 44 of the Act of Congress approved May 25, 1926 (44 Stat. L. 636), lots 1 and 2, and south half of the northeast quarter, section 5, township 30 north, range 31 east, Montana principal meridian, for east half of the southeast quarter, section 24, township 30 north, range 31 east, and lots 2, 3, and 4, section 19, township 30 north, range 32 east, Montana principal meridian, and issue to James Kennedy, an unrestricted patent therefor.

Sec. 10. That stock-raising homestead entry, Cheyenne, Wyo., No. 041690, made by Warren F. Deuel on January 15, 1926, for the southwest quarter, south half of southeast quarter, section 13, and north half of northeast quarter, section 24, township 38 north, range 66 west, sixth principal meridian, be, and the same is hereby validated.

Mr. COLTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COLTON: Page 6, after line 7, insert a new section, as follows:

"Sec. 11. That notwithstanding the provisions of any other law the Secretary of the Interior be, and he is hereby, authorized and directed to allow homestead application No. 014848, filed by Patrick J. Greaney, jr., on July 23, 1929, for the south half northeast quarter section 18, township 64 north, range 21 west, fourth principal meridian, in St. Louis County, Minn., subject to compliance with the requirements of the homestead law, and payment of all moneys due thereon."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Utah.

The amendment was agreed to.

Mr. COLTON. Mr. Speaker, I offer another amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

After section 11, add a new section to read as follows:

"Sec. 12. That the Secretary of the Interior be, and he is hereby, authorized and directed to convey by patent to Alma Laird 127.11 acres, said land being lots 5, 6, and 8, section 32, and lot 4, section 31, all being in township 2 south, range 17 west, Tallahassee meridian, according to Government survey of 1924, upon payment by said Alma Laird to the United States of \$1.25 per acre within six months after passage of this act."

Mr. LAGUARDIA. Mr. Speaker, I will make a point of order on that. No; I will reserve my point of order.

The SPEAKER pro tempore. What is the gentleman's point of order?

Mr. LAGUARDIA. It is not germane to the bill.

Mr. STAFFORD. I think it is germane, but it violates the understanding we had when consideration was sought for the Senate bill. It was proposed to take up a similar bill with one amendment. Now, here is another amendment.

Mr. COLTON. This is done at the request of the gentleman from Florida [Mr. Yon], who has a bill which is germane, and which would have been considered by the committee if it had been called to the attention of the committee. This bill, introduced by the gentleman from Florida, has been reported out by the Committee on the Public Lands and is on the Private Calendar. It was brought in at this time at the request of the gentleman from Florida in order to facilitate the passage of his bill which has already been reported favorably.

Mr. JENKINS. May I ask the gentleman if this last bill applies to exactly the same territory as the other?

Mr. COLTON. Yes.

Mr. STAFFORD. I do not wish to have violated an agreement that has been made with the House, but I do not wish to be too restrictive as to the policy. Does the gentleman propose to offer other private bills? This is an omnibus private claims bill. Objection might have been raised to it originally. We have not the Private Calendar up now. If you are going to have that kind of practice, you will not have unanimous consent to have Senate bills substituted.

Mr. COLTON. Mr. Speaker, I can not let the statement or intimation go by that there has been a violation of an agreement. It is true when this bill was read I asked unanimous consent to substitute the Senate bill, and I explained that I would offer an amendment. Since then the gentleman from Florida called my attention to this bill. It was entitled to go upon this bill. The gentleman from Florida was absent at the time this omnibus bill was considered by the committee. Otherwise it would have been included in this omnibus bill. If there is any thought that an agreement has not been kept, I do not want to press the amendment, and will withdraw it.

Mr. LAGUARDIA. The gentleman will understand that in following so large a calendar as we have to-day and looking up the cases and reports in many instances it is impossible to follow amendments that are flashed upon us in this way. But clearly, from the explanation of the gentleman from Utah, it seems that the bill was before the committee and reported favorably and was of the same nature or character as the other bill now before the House.

Mr. COLTON. I think it is in order and I hope the gentleman from Wisconsin will not continue his opposition. If there is objection, I will withdraw the amendment.

Mr. LAGUARDIA. Mr. Speaker, I withdraw the point of order.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

The SPEAKER pro tempore. What is the number of that bill which was included?

Mr. YON. The bill H. R. 8148.

The SPEAKER pro tempore. Without objection, the similar House bill will be laid on the table.

There was no objection.

YOSEMITE NATIONAL PARK, CALIF.

The next business on the Consent Calendar was the bill (H. R. 10581) to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS. Mr. Speaker, I do not object to the consideration of this bill, but I would like the author of the bill to make an explanation of it. It deals with public lands.

Mr. COLTON. Mr. Speaker, this bill makes a small addition to the Yosemite National Park. During the survey of a particular road it was found necessary to change the survey and allow the roadway to run through a piece of fine timberland. This legislation would simply include that timberland in the park in order to have the road also within the park.

Mr. JENKINS. There is no expense to the Government?

Mr. COLTON. None. No additional expense except that incident to administration.

Mr. STAFFORD. Mr. Speaker, I understand this is adjacent to the territory of the Hetch Hetchy Valley. They cut down some large trees during the building of the dam in the Hetch Hetchy Valley, and it is the purpose now to bring that region adjacent thereto within the confines of the park and thereby protect the timber?

Mr. COLTON. Yes; and protect the timber.

Mr. FITZGERALD. I understand there are only 4 square miles in this park.

Mr. STAFFORD. Oh, this is the Yosemite National Park, one of the largest national parks.

Mr. FITZGERALD. How much does it add?

Mr. COLTON. It adds 960 acres.

Mr. KNUTSON. If it is so large a park, that would not be much of an acquisition.

Mr. STAFFORD. It goes back to the time of the building of the Hetch Hetchy Dam, when they had occasion to cut down large quantities of timber in the construction of that dam. Now it is proposed to place that territory in the Yosemite National Park.

Mr. JENKINS. Mr. Speaker, I withdraw my reservation of an objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of preserving and consolidating timber stands along the western boundary of the Yosemite National Park the President of the United States is hereby authorized, upon the joint recommendation of the Secretaries of Interior and Agriculture, to add to the Yosemite National Park, in the State of California, by Executive proclamation, section 1 and the north half of section 12, township 1 south, range 19 east, Mount Diablo meridian.

SEC. 2. That the provisions of the act of June 10, 1920, known as the Federal water power act, shall not apply to any lands added to the Yosemite National Park under the authority of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

SIXTH PAN AMERICAN CHILD CONGRESS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 270) authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That for the purpose of defraying the expenses of participation by the Government of the United States by means of delegates to be appointed by the President in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930, an appropriation in the sum of \$13,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence, or per diem in lieu of subsistence (notwithstanding the provisions of any other act), printing and binding, compensation of employees, rent, official cards, preparation, transportation, installation, and demonstration of a suitable exhibit, and such other expenses as the President shall deem proper.

Mr. LAGUARDIA. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from New York [Mr. LAGUARDIA] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 1, line 10, strike out the parenthesis and "notwithstanding the provisions of any other act."

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

PROMOTION OF COMMISSIONED OFFICERS OF THE LINE OF THE NAVY

The next business on the Consent Calendar was the bill (H. R. 1190) to regulate the distribution and promotion of commissioned officers of the line of the Navy, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOOPER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois [Mr. BRITTEN] whether he would be willing to permit this bill to go over without prejudice?

Mr. BRITTEN. I have already spoken to the chairman of the subcommittee of the Committee on Appropriations, and I think there is objection to it. I think the objection to the bill is in error, as the bill is needed by the department.

Mr. HOOPER. Probably.

Mr. BRITTEN. The bill is recommended by the Bureau of the Budget. It will start saving money on the 1st of July of this year, and will save \$15,000 next year on the pay of the Navy, and thereafter it will save more than \$200,000 in some years, and in the next 20 years will save \$2,000,000 or more in the pay of the Navy alone.

Mr. HOOPER. The gentleman has laid a valuable foundation for the time when the bill comes up next. If the gentleman has no particular objection, I should like to ask unanimous consent that it be passed over.

Mr. BRITTEN. I should like to have the bill passed to-day, if possible.

Mr. HALE. The bill has passed the Senate, has it not?

Mr. BRITTEN. It has passed the Senate, and it passed Congress unanimously last year.

Mr. HOOPER. Is it just the same bill as this which has passed the Senate?

Mr. BRITTEN. Yes.

Mr. HOOPER. When did it pass the Senate?

Mr. BRITTEN. About two and a half weeks ago.

Mr. HOOPER. Was it passed in exactly the same form as this bill stands now?

Mr. BRITTEN. Exactly; and it was passed unanimously in the last Congress by the House and went to the Senate, and was caught in the legislative jam in the Senate and did not pass the Seventieth Congress.

Mr. HALE. It is putting into permanent law what already exists in temporary law, is it not?

Mr. BRITTEN. In part.

Mr. HOOPER. May I ask the gentleman from New Hampshire [Mr. HALE] if he thinks it should pass at this time?

Mr. HALE. I do.

Mr. HOOPER. Without taking the time to pass it over for two weeks?

Mr. HALE. The bill has been considered for the last three years.

Mr. HOOPER. If the gentleman will state that it should be passed at this time, I will withdraw the objection.

Mr. FRENCH rose.

Mr. LAGUARDIA. What does the gentleman from Idaho [Mr. FRENCH] think about it?

Mr. BRITTEN. I have talked to the gentleman from Idaho [Mr. FRENCH] about this. I do not believe I am violating any confidence when I say that the principal objection of the gentleman from Idaho [Mr. FRENCH] to this bill was in the 1½ per cent increase in officers in the lower grades and taking them from another grade. It does not increase the total number of line officers. It only affects the line of the Navy and not the staff, and because of that slight change in the percentage I have agreed with the gentleman from Idaho [Mr. FRENCH] to offer to amend the bill myself so that the percentages in the new bill will be exactly as they are in existing law.

Mr. FRENCH. Mr. Speaker, I did not make myself plain to the gentleman from Illinois [Mr. BRITTEN] if I indicated that that was my main objection to the bill. So far as the details of the bill may be concerned, that would be my main objection. My main objection to considering and passing the bill at this time is more fundamental than that, and goes to whether or not this House, at a time when it has appointed members of a joint pay committee on behalf of the House to consider and report to the House a joint pay bill that will affect the pay of the Army, the Navy, the Marine Corps, and other services should now by piecemeal undertake to pass other legislation that will have some effect, some bearing upon the consideration of the pay bill. It is because of this situation that I think we should not pass this bill or any other similar bill dealing with one service alone during the time that committee is at work. I think the better plan would be to pass a bill that would have regard for promotion in all services.

Mr. BRITTEN. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. BRITTEN. Answering the gentleman's remark, I know he is the essence of fairness, and I also have always been exceedingly frank and fair with the House. I pledge my word that there is not a single word in this bill that affects the pay of the Navy. Not a single word that has anything whatever to do with the very important work which the gentleman's committee is doing in connection with the pay for the various services. This bill carries a number of legislative features like this, if you will permit me for a moment: Last year we only had one or two vacancies in the grade of rear admiral. Captains could not be promoted, and if they could not be promoted they had to be retired.

It worked a great hardship on a number of exceedingly high-grade captains who should have had an opportunity for promotion, but they did not have that opportunity because of the small number of vacancies in the grade above. This bill provides that men shall be put on the promotion list and retained for one year or two years, until the class above becomes more uniform.

There ought to be from 7 to 10 vacancies in the rear admiral grade every year. This bill equalizes the flow of promotion up above, but it does not cost anything. It equalizes service at the Naval Academy. In many instances, during the war, officers were graduated with three years' service at the academy while some had five years' service before the war. This establishes a uniform 4-year period at the academy. It does another thing. We now have promotions by seniority from lieutenant to lieutenant commander. This bill provides for

selection up in that grade. In other words, we extend selection up one grade lower.

There are between 600 and 800 officers in the service who came out of the ranks. They were formerly enlisted men. They are now petty and warrant officers, and they were the backbone of the service. Many of those men want to retire. They are not qualified to do the job to the same extent that a Naval Academy man is qualified, that is, they are not expert mathematicians, they are not expert navigators, and they are not expert radio men.

Mr. LAGUARDIA. Then what are they good for?

Mr. BRITTEN. They are excellent men in handling ships under the type of men I am talking about from the Naval Academy. Many of these men would like to retire but they can not. Every one of them is now getting the maximum pay for the grade, but when they go out their pay will depend upon the length of their service.

The Government will save in the next year \$15,000 on that pay, because of the difference between their retirement pay and their present pay and allowances. In some cases that will amount to as much as \$4,000 a year, and none will run less than \$2,000. That represents the difference between their retirement pay and their present pay and allowances.

My thought is, gentlemen, that the legislative features carried in this bill are very highly necessary. They favor no one in the service but they favor the service generally. I can not understand why the gentleman from Idaho or anyone should object to this bill, which will make a saving of \$2,000,000 to the Treasury within the next 20 years in the item of pay of the Navy alone.

Mr. FRENCH. Is the gentleman aware of the fact that the joint pay board, representing the Army, the Navy, and the other services after making a study of this whole problem, in its report referred to the incongruous situation which exists on account of the lack of systematic promotion legislation?

Mr. BRITTEN. In the Navy?

Mr. FRENCH. In the different services the different promotion methods followed.

Mr. VINSON of Georgia. That is the purpose of the bill now before the House to correct the situation as to the Navy.

Mr. BRITTEN. I will be very glad to offer an amendment to the bill which will change the percentages in those unimportant grades. I think the gentleman ought to allow the bill to be considered.

Mr. FRENCH. The point I have in mind is this: The gentleman indicated that the promotion bill would have no relation whatever to any pay bill that might be reported. On the other hand, as I see it, it does have very vital relationship to the pay problem as is evidenced by the statement made by the joint pay board, which board was unofficially appointed and prepared a report touching the pay situation.

Members of the joint pay committee feel, as we study the question, that the problem is so serious that it ought not to be considered as a piecemeal proposition but that it ought to be considered at a time when the promotion plans for the Army, the Marine Corps, the Navy, and the other services likewise can be considered.

Mr. HALE. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. HALE. One of the original resolutions which undertook to establish the joint pay commission, as the gentleman will recollect, gave that commission authority to investigate not only the question of pay but also the question of promotion. The promotion feature was stricken out of the resolution under which the gentleman's committee was appointed, and the authority of the gentleman's committee is confined solely to the consideration of pay. Now, no one in this House is more interested in that pay situation than I am. If I may say so, I introduced the first bill which started the whole investigation; but I say to the gentleman from Idaho, as the gentleman from Illinois has said to him, there is not one line in this bill which changes any rate or schedule of pay in the Navy.

Mr. FRENCH. That is true. But the very fact that you provide the system of promotion which you do provide does throw out of harmony the work we are undertaking to do and which involves several services.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. If the gentleman from Idaho will permit, the statement made by the gentleman from New Hampshire [Mr. HALE] is absolutely correct. Under the joint pay resolution, the committee, of which the gentleman from Idaho is a distinguished member, will never have jurisdiction over or consider the question of rates or the question of promotion, but the committee will have authority to consider the question of pay. This proposition deals exclusively with rates and promo-

tions, and no authority is conferred upon the gentleman's committee to take into consideration questions relating to ratings or questions relating to promotions. Therefore it is necessary to have proper ratings before you are authorized to make a proper pay bill, and that is all this bill seeks to do.

Mr. FRENCH. The gentleman from Georgia, although supporting the gentleman from Illinois [Mr. BRITTEN] in support of the bill has said, in very fine, clear-cut language, that it is essential that we know what the promotion plan shall be before we can act wisely on a pay bill.

Mr. VINSON of Georgia. But the gentleman's committee can not determine that. It can not consider any questions relating to ratings or any questions relating to promotions. This committee has that authority, and it has reported certain provisions with reference to this particular bill that your committee could not consider for one moment—the question of promotion or the question of rating of anybody in these services.

Mr. FRENCH. Yes; but the difficulty arises in attempting to do something for the Navy or for the Marine Corps or for some other service that you are not doing for the services generally.

Mr. VINSON of Georgia. Let me ask the gentleman, then, what committee has jurisdiction to grant proper ratings to the members of the Naval Establishment? Of course, the gentleman's committee has not that authority, and there is but one other committee, and that is the Naval Affairs Committee. Now, the Naval Affairs Committee, exercising that right, has brought in a bill giving certain ratings. When you come to consider the question of pay you have the right, under the joint resolution, to deal with it, but you have not the right to deal with this question at all. You have limited jurisdiction, and I venture to say, as was said in the 1922 pay bill, not one line will deal with the question of rating but the bill will deal entirely with the question of pay.

Mr. BARBOUR. Will the gentleman yield?

Mr. BRITTEN. I yield to the gentleman from California.

Mr. BARBOUR. The report of the Interdepartmental Pay Board, which is before the joint pay committee, recommends—and this is one of the things that the joint pay committee will have before it—that pay shall hereafter be based on rank and not on pay periods as it is at the present time.

Mr. VINSON of Georgia. Let me ask the gentleman this question: Have you any authority under the joint pay committee resolution to say what the different grades and ranks shall be?

Mr. BARBOUR. No.

Mr. VINSON of Georgia. Of course, you have not, and therefore you can not deal with it at all.

Mr. BARBOUR. But one of the very things this committee must do is to fix the pay for the various ranks.

Mr. VINSON of Georgia. You have not any authority to say how they are going to be promoted, whether they are going to be promoted by selection or whether they are going to be promoted by seniority; those things are questions of ratings. But you do have authority to say what the pay shall be. The Naval Affairs Committee and the Military Affairs Committee fix the method of promotion, fix the rating, and the gentleman's committee recommends to Congress what the pay shall be.

Mr. BARBOUR. Absolutely; and if we are going to keep changing that from time to time as we go along, our committee has no definite basis to work upon.

Mr. VINSON of Georgia. You can not know until you have some authority, and that is what we are trying to give you now.

Mr. BARBOUR. We can take the situation as it exists at the present time and work on that basis.

Mr. BRITTEN. If the gentleman will pardon me, this bill materially improves what the gentleman just says they may work upon; that is, the existing condition of the Navy. This bill materially improves the existing condition of the Navy, and it is something that the Navy wants.

Mr. BARBOUR. The principal objection to it is that it changes existing conditions and we do not know what the result will be.

Mr. BRITTEN. What does it change?

Mr. BARBOUR. It changes the plan of promotion.

Mr. BRITTEN. No; it does not change the method of promotion at all. In the selection, for instance, we come down one grade, but the present selective system remains. We are making permanent a law that provides for time in grade, in all the grades of the line. That law is a temporary one and we are making it permanent under this bill. We are giving you and your committee, my dear Mr. BARBOUR, some legislative features that you highly need on the pay committee. You need it and the Navy Department wants it. I can not understand the mental make-up of a person who would object to a thing of this

kind, if you will pardon the expression. I mean no offense, of course.

Mr. BARBOUR. No objection has been offered yet.

Mr. BRITTEN. But here is a gentleman who is interested in the development of the Navy, and has been for years. The gentleman is chairman of the subcommittee that cares for the financial needs of the Navy. The Navy begs him to pass certain legislation, the Navy wants it, and the Director of the Budget is for it. It will promote a saving of \$2,000,000 or more in 20 years, and yet some Member stands on the floor of the House and states he objects because of a fundamental basis or a fundamental reason. His fundamental reason is that the joint pay board has said that there should be something done to harmonize the method of selection in the various services. This is true.

We agree with that statement, but up to the present time the Navy has had selection for years, and the Army will not accept it. What are you going to do about it? Are you going to destroy valuable legislation of this kind because we can not get together on uniform promotion by selection in all the services? The Army has repeatedly said it is opposed to selection. It prefers promotion by seniority, and this same condition may prevail 20 years from now; but surely you should not object to legislation like this for that reason.

Mr. FRENCH. Does not the gentleman think that all of these promotion bills should be considered by some one committee that might be charged with that responsibility?

Mr. BRITTEN. What does the gentleman mean by all these promotion bills—what promotion bills?

Mr. FRENCH. The gentleman has two on this Consent Calendar.

Mr. BRITTEN. Does the gentleman charge that this is a promotion bill?

Mr. FRENCH. Yes.

Mr. BRITTEN. This is not a promotion bill. This is a bill affecting the line of the Navy in a dozen different directions. It is not merely a promotion bill.

Mr. FRENCH. It is called a promotion bill.

Mr. GREENWOOD. Mr. Speaker, I demand the regular order.

Mr. FRENCH. Then I object, Mr. Speaker.

EXTENDING PROVISIONS OF JOINT RESOLUTION FOR THE RELIEF OF FARMERS IN STORM, FLOOD, OR DROUGHT AREAS

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 152, to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

The SPEAKER. The gentleman from Montana asks unanimous consent for the present consideration of Senate Joint Resolution 152, which the Clerk will report.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the authority conferred upon the Secretary of Agriculture by the provisions of the joint resolution entitled "Joint resolution for the relief of farmers in the storm, flood, and/or drought stricken areas of Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, Ohio, Oklahoma, Indiana, Illinois, Minnesota, North Dakota, Montana, New Mexico, and Missouri," approved March 3, 1930, is hereby extended to include the making of advances or loans to farmers for the purchase of fuel and oil for tractors for use in crop production, and, when necessary, to produce such fuel and oil and sell the same to such farmers.

The SPEAKER. Is there objection?

Mr. FISH. Reserving the right to object, I would like to ask the gentleman, would it be in order to amend the bill by including another State?

Mr. LEAVITT. I refer the gentleman to the Speaker to answer that.

Mr. FISH. I want the gentleman's opinion if it is open for amendment. Is it in order to include another State?

Mr. STAFFORD. I question whether the legislative situation would permit that character of amendment. All that is being sought here is to utilize the fund already appropriated under the general law. This is merely to extend the purview of this fund in its scope and purposes apportionable to certain States. It does not seek to add another State, it does not seek to increase the available States under the original law.

Mr. FISH. This carries no appropriation?

Mr. STAFFORD. None at all; it is amendatory of an act we passed last year, and then amended about a month ago.

Mr. SNELL. I would like to ask my colleague what is the idea of putting New York in?

Mr. FISH. I had in mind certain districts where the situation is bad from overflows due to heavy rains, particularly down in the onion section of the southern part of New York.

Mr. SNELL. I do not think it is necessary to put that in. The original bill did not affect our State.

Mr. FISH. No; it did not. Mr. Speaker, I withdraw my reservation of objection.

Mr. STEVENSON. Reserving the right to object, is this to further dissipate the fund that was appropriated?

Mr. KETCHAM. It does not increase the total.

Mr. STEVENSON. It does not add another State?

Mr. KETCHAM. No.

Mr. STAFFORD. Mr. Speaker, further reserving the right to object, when the House bill was under consideration I drew attention to the provision carried in the original bill, which I assume is carried in the Senate bill, authorizing the Secretary of Agriculture to go into the business of purchasing gasoline and fuel oil—

Mr. LEAVITT. I will say that if there is no objection to the consideration of the bill I will move to strike that out.

Mr. STAFFORD. If the gentleman intends to offer an amendment to that effect I will not interpose further objection.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVITT. Mr. Speaker, in accordance with my agreement with the gentleman from Wisconsin, I offer the following amendment:

The Clerk read as follows:

Amendment by Mr. LEAVITT: Page 2 line 2, after the word "production," strike out the comma and insert a period, and strike out the remainder of the paragraph.

Mr. STEVENSON. Mr. Speaker, I would like to hear read what is proposed to be stricken out.

The SPEAKER. The Clerk will report the language stricken out.

The Clerk read as follows:

After the word "production," page 2, strike out the following language: "and, when necessary, to produce such fuel and oil and sell the same to such farmers."

The amendment was agreed to.

The bill was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

EXTENSION OF AIR MAIL CONTRACT

Mr. SANDERS of New York. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 11704, as amended, to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That section 4 of the air mail act of February 2, 1925, as amended by the act of June 3, 1926 (44 Stat. 692; U. S. C., Supp. III, title 39, sec. 464), be amended to read as follows:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed \$1.25 per mile: *Provided*, That where the air mail moving between the designated points does not exceed 25 cubic feet, or 225 pounds, per trip the Postmaster General may award to the lowest responsible bidder, who has owned and operated an air transportation service on a fixed daily schedule over a distance of not less than 250 miles and for a period of not less than six months prior to the advertisement for bids, a contract at a rate not to exceed 40 cents per mile for a weight space of 25 cubic feet, or 225 pounds. Whenever sufficient air mail is not available, first-class mail matter may be added to make up the maximum load specified in such contract."

SEC. 2. That section 6 of the act of May 17, 1928 (45 Stat. 594; U. S. C., Supp. III, title 39, sec. 465c), be amended to read as follows:

"SEC. 6. The Postmaster General may, if in his judgment the public interest will be promoted thereby, upon the surrender of any air mail contract, issue in substitution therefor a route certificate for a period of not exceeding 10 years from the date service started under such contract to any contractor or subcontractor who has satisfactorily operated an air mail route for a period of not less than two years, which certificate shall provide that the holder thereof shall have the right, so long as he complies with all rules, regulations, and orders that may be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting mail operations to the advances in the art of flying and passenger transportation, to carry air mail over the route set out in the certificate or any modification thereof at rates of compensation to be fixed from time to time, at least annually, by the Postmaster General, and he shall publish in his annual report his reasons for the continuance or the modification of

any rates: *Provided*, That such rates shall not exceed \$1.25 per mile. Such certificate may be canceled at any time for willful neglect on the part of the holder to carry out any rules, regulations, or orders made for his guidance, notice of such intended cancellation to be given in writing by the Postmaster General and 45 days allowed the holder in which to show cause why the certificate should not be canceled."

SEC. 3. That after section 6 of the said act as amended, additional sections shall be added as follows:

"SEC. 7. The Postmaster General, when in his judgment the public interest will be promoted thereby, may make any extensions or consolidations of routes which are now or may hereafter be established.

"SEC. 8. That the Postmaster General in establishing routes for the transportation of mail by aircraft under this act may provide service to Canada within 150 miles of the international boundary line, over domestic routes which are now or may hereafter be established and may authorize the carrying of either foreign or domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic air mail service: *Provided*, That this section shall not be construed as repealing the authority given by the act of March 2, 1929, to contract for foreign air mail service.

"SEC. 9. After July 1, 1931, the Postmaster General shall not enter into contracts for the transportation of air mail between points which have not theretofore had such service unless the contract air mail appropriation proposed to be obligated therewith is sufficient to care for such contracts, and all other obligations against such appropriation, without incurring a deficiency therein."

The SPEAKER. Is a second demanded?

Mr. MEAD. Mr. Speaker, I demand a second.

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York, Mr. SANDERS, is entitled to 20 minutes, and the gentleman from New York, Mr. MEAD, to 20 minutes.

Mr. SANDERS of New York. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. KELLY].

Mr. KELLY. Mr. Speaker, this measure as it now stands is an amendment of the present air mail law and is a sound and logical step in the progress of air mail and commercial aviation.

It will do four things. First, it changes the system of payment to air-mail contractors from a poundage to a mileage basis, with proper consideration for the space and weight factors. It carries this same change into force in the certificates now provided for the protection of the pioneers of air mail.

Second. It puts air mail and first-class mail on qualified passenger lines at limited rates through contracts let on competitive bidding, thus giving these lines needed assistance during the early stage of such transportation service.

Third. It permits the extension and consolidation of routes so that some present illogical features of the air-mail map may be remedied.

Fourth. It provides for carrying Canadian and American mail jointly to points within 150 miles from the boundary line of the Dominion.

These provisions are safeguarded for the protection of the revenues of the Government and the right of Congress to control expenditures. It safeguards also the rights of those engaged in actual commercial aviation by assuring them equal opportunity to secure contracts.

From certain objections which have come to me to-day, I want to make it clear that this measure is not H. R. 9500, which was previously on the calendar. The first three sections of that measure were as follows:

SEC. 2. That mailable matter of any description may be transported by aircraft; and that the term "air mail" when used in this act means any mail upon which air mail postage is prepaid authorized by the Postmaster General to be carried by aircraft under such regulations as he may prescribe.

SEC. 3. The rates of postage on air mail shall be prescribed by the Postmaster General: *Provided*, That the air mail rate on first-class mail matter shall not be less than 5 cents for each ounce or fraction thereof: *And provided further*, That whenever facilities contracted for as in section 4 hereof provided are not required for the transportation of air mail, the Postmaster General, under such regulations and at such rates as he may prescribe, may permit the utilization of such facilities for the transportation of any other mail matter he may authorize to be so transported.

SEC. 4. The Postmaster General is authorized to award contracts for the transportation of mail by aircraft between such points as he may designate to the lowest responsible bidders at rates not to exceed \$1.25 per mile: *Provided*, That when in his opinion the public interest shall

so require, he may award such contracts by negotiation and without advertising for or considering bids. In awarding air mail contracts the Postmaster General may give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving.

In the measure now before us these three sections have been stricken out and one section inserted, as follows:

SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed \$1.25 per mile: *Provided*, That where the air mail moving between the designated points does not exceed 25 cubic feet, or 225 pounds, per trip the Postmaster General may award to the lowest responsible bidder, who has owned and operated an air transportation service on a fixed daily schedule over a distance of not less than 250 miles and for a period of not less than six months prior to the advertisement for bids, a contract at a rate not to exceed 40 cents per mile for a weight space of 25 cubic feet, or 225 pounds. Whenever sufficient air mail is not available, first-class mail matter may be added to make up the maximum load specified in such contract.

Mr. Speaker, I could not support the bill as it came from the Post Office Department, nor as first reported out of the Post Office Committee. I opposed it as vigorously as possible in the belief that such arbitrary power granted to any man would lead to abuses which would endanger the entire air mail service. When requested for an opinion the Comptroller General of the United States pointed out in vigorous terms the dangers of such provisions.

All parties have accepted the situation and the Postmaster General and the Post Office Committee join in agreement upon this new bill—H. R. 11704—which is under consideration.

Now, Mr. Speaker, section 4 of the present law provides for the letting of contracts for the carriage of air mail at rates not to exceed \$3 per pound. Under that law 25 contracts have been let at varying rates of payment. In view of the experimental nature of the service there was certain to be illogical routes, yet there was, on the whole, a fair coordination of the routes making up the air mail map.

However, experience has demonstrated the fact that a more uniform and efficient system can be built up on a mileage basis, qualified by the airplane space required and the weight of air mail carried.

Therefore, it is provided in this bill that contracts shall be let on the new basis, upon competitive bidding, at rates which shall in no case exceed \$1.25 a mile. There will be need for varying amounts of space to take care of varying amounts of air mail. In each case 1 cubic foot of space shall be computed as the equivalent of 9 pounds of air mail, which is the result of our experience in the service.

Under section 6 of the present law authorization is made for the issuance of certificates to contractors who have operated an air mail line for at least two years in a manner satisfactory to the department. This is for the protection of the pioneer operators who received their contracts under competitive bidding and in most cases have invested large sums in this new transportation service.

This measure amends that provision so that the certificates will be based on a mileage basis, with proper regard for space and weight.

There is an additional feature contained in section 4 of this amendment. It provides for special aid to passengers carrying lines which now have no air mail contracts. Where the air mail moving between designated points does not exceed 225 pounds or a required capacity of 25 cubic feet, a contract may be let for a definite weight space not to exceed 225 pounds and 25 cubic feet at a rate not to exceed 40 cents a mile.

Only those individuals, firms, or corporations which have actually operated at least a 250-mile line for at least six months on daily schedule will be eligible to secure such a contract, which must be let under competitive bidding.

The bidders need not have been operating the route on which bids are asked but operation on a route anywhere in the United States will meet the requirement.

Authority is given to use first class or letter mail in making up the maximum load specified in the contract.

Under this provision every air passenger line will have an equal chance to bid for the carriage of mail by aircraft. The payments up to 40 cents a mile will be of great assistance and yet does not put the Government in the position of paying all costs of operation. Revenues from passenger traffic will be necessary if profits are to be made.

Mr. COLLINS. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. COLLINS. As a matter of fact, this bill would raise the average mileage rate from \$1.05 a mile to \$1.25 a mile?

Mr. KELLY. No; it will bring it down to an average of about 72 cents, instead of \$1.05 now paid.

Mr. COLLINS. The report says that for the first 11 months of the year 1929 the Post Office Department paid an average of \$1.05 for air mail service.

Mr. KELLY. That is true, but the adjustment contemplated by this measure will bring it down to 72 cents, so that we expect to save by the operation of this measure something like \$3,000,000 a year on present contract payments, and that sum will be used for letting special-aid contracts to passenger lines which now have no contracts at all.

Mr. LAGUARDIA. The bill provides also for the establishment of air routes to and from Canada?

Mr. KELLY. Yes.

Mr. LAGUARDIA. If we pay for service carrying mail into Canada, on what justification do you pay service for carrying mail from Canada, when the Canadian Government receives postage for that?

Mr. KELLY. That is under arrangement with Canada just as we have now with the Railway Mail Service. We carry mail into Canada and bring mail back on an agreed arrangement.

Mr. LAGUARDIA. We get some adjustment?

Mr. KELLY. We get credit for all we do, and Canada gets credit for its service.

Mr. MILLER. How does this affect the existing contracts?

Mr. KELLY. Every existing contractor will be protected by section 6, which is the present law changed to a mileage basis. When they have furnished two years' satisfactory service, the Postmaster General may give them a certificate for six years' time in addition to the original contract at adjusted rates.

Mr. COLLINS. The report further states that the department is now paying from \$3 to 78 cents per pound.

Mr. KELLY. I stated that; yes.

Mr. COLLINS. I know you did. It also follows that by using the present rates, some of them were high and some below the actual cost of operation.

Mr. KELLY. That is true.

Mr. COLLINS. Now, if they are already too low, and the gentleman states that under this particular bill the cost will be 72 cents, that is still lower.

Mr. KELLY. The gentleman is confusing poundage with mileage. I said the average will be 72 cents a mile, as compared with \$1.05 a mile. The gentleman refers to the rates per pound.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BANKHEAD. The gentleman referred to some aid or assistance in the exploiting of passenger-carrying service. Is that in the nature of a subsidy?

Mr. KELLY. A subsidy, subvention, or whatever you choose to call it. Whatever letter mail is added to the load contracted for will be in the nature of a subvention. There is certain to be a difference between revenues and expenditures.

Mr. BANKHEAD. What proportion of your bill will be called a subvention?

Mr. KELLY. It will be permanently, but a small proportion as the bill is now written. Under the original bill it could have been a much larger proportion.

Mr. BANKHEAD. The gentleman can not tell what amount will be given by way of contracts and what amount by way of subsidy?

Mr. KELLY. That will depend on the amount of letter mail that will be necessary to make up the contract requirements, and of course on the contract payments agreed upon.

Mr. BYRNS. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. BYRNS. Are any rights reserved to the Congress in the making of new contracts?

Mr. KELLY. That is fully protected by section 9, which provides that after the adjustment period in 1931 there can be no contracts let that might lead to an increase of the amount appropriated.

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield there?

Mr. KELLY. Yes.

Mr. OLIVER of Alabama. What preference will be given under section 9 to those who now have contracts?

Mr. KELLY. That protection is ample, for they will receive first consideration. We need anticipate no great expenditure above the amounts already appropriated, for in the adjustment that will come immediately, changing this system to the mileage basis, the money saved by the adjustment will be put

into new contracts, which will aid the passenger air system of transportation.

Mr. OLIVER of Alabama. Is it the gentleman's information that this saving will be sufficient to authorize the extension of the service of air mail?

Mr. KELLY. Yes. There are 178 cities in the United States with direct mail routes now. This bill will add a substantial increase to that number, without any large additional expenditure on the part of the Government.

Mr. LAGUARDIA. As it is worked out, though, actually mail will be carried and paid for on the basis of the amount carried, and the bill contemplates the carriage of mail. As to the other matter, on the question raised by the gentleman from Washington [Mr. MILLER], there is no way to compel a carrier now under contract to relinquish that contract to carry mail?

Mr. KELLY. Those contracts will expire. The contracts of six of the pioneer contractors expire on the 5th of May, and it is necessary to give them certificates under this law, if they are to have the protection desired.

Mr. LAGUARDIA. There are no certificate contracts?

Mr. KELLY. Not one at present.

Mr. KETCHAM. Mr. Speaker, will the gentleman yield?

Mr. KELLY. Yes.

Mr. KETCHAM. Are any estimates submitted in the report, or has the gentleman any information as to how much this will run into in a period of five years?

Mr. KELLY. It should not run substantially above the present cost, and it will give a better service, on the expenditure of the funds.

Mr. KETCHAM. Will the gentleman take one-half minute while I ask him what limit is placed on the discretion of the Postmaster General in determining where these routes shall be? What is the general course of procedure?

Mr. KELLY. That will be carried out in cooperation with the Department of Commerce in laying out logical trade routes, and of course good judgment will be necessary in that regard.

Mr. Speaker, the air mail is one of the romances of the United States Postal Service. I admit that I have been an air-mail enthusiast since the beginning.

The United States should be first in the air, and that means all proper encouragement for commercial aviation.

The three laws under which the contract air mail service has developed were sponsored by myself in the belief that the air-mail system must be the foundation of commercial air transportation in this country. These laws are as follows:

[H. R. 7064, Public, No. 359, 68th Cong., approved February 2, 1925]

An act to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service

Be it enacted, etc., That this act may be cited as the air mail act.

SEC. 2. That when used in the act the term "air mail" means first-class mail prepaid at the rates of postage herein prescribed.

SEC. 3. That the rates of postage on air mail shall be not less than 10 cents for each ounce or fraction thereof.

SEC. 4. That the Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate at a rate not to exceed four-fifths of the revenues derived from such air mail, and to further contract for the transportation by aircraft of first-class mail other than air mail at a rate not to exceed four-fifths of the revenues derived from such first-class mail.

SEC. 5. That the Postmaster General may make such rules, regulations, and orders as may be necessary to carry out the provisions of this act: *Provided*, That nothing in this act shall be construed to interfere with the postage charged or to be charged on Government-operated air-mail routes.

[H. R. 11841, Public, No. 331, 69th Cong., approved June 3, 1926]

An act to amend section 4 of the air mail act of February 2, 1925, so as to enable the Postmaster General to make contracts for the transmission of mail by aircraft at fixed rates per pound.

Be it enacted, etc., That section 4 of the air mail act of February 2, 1925, is amended to read as follows:

"That the Postmaster General is authorized to contract with any individual, firm, or corporation for the transportation of air mail by aircraft between such points as he may designate, and to further contract for the transportation by aircraft of first-class mail other than air mail at fixed rates per pound, including equipment, under such rates, rules, and regulations as he may prescribe, not exceeding \$3 per pound for air mail for the first 1,000 miles and not to exceed 30 cents per pound additional for each additional 100 miles or fractional part thereof for routes in excess of 1,000 miles in length, and not exceeding 60 cents per pound for first-class mail other than air mail for the first 1,000 miles, and not to exceed 6 cents per pound additional for each additional 100 miles or fractional part thereof for routes in

excess of 1,000 miles in length. Existing contracts may be amended by the written consent of the contractor and the Postmaster General to provide for a fixed rate per pound, including equipment, said rate to be determined by multiplying the rate hereinabove provided by a fraction, the numerator of which is the per cent of revenues derived from air mail to which the contractor was previously entitled under the contract, and the denominator of which is 80."

[Public, 410, 70th Cong., approved May 17, 1928]

An act to amend the air mail act of February 2, 1925, as amended by the act of June 3, 1926

Be it enacted, etc., That section 3 of the air mail act of February 2, 1925 (U. S. C., title 39, sec. 463), as amended by the act of June 3, 1926, is hereby amended to read as follows:

Sec. 3. "That the rates of postage on air mail shall not be less than 5 cents for each ounce or fraction thereof."

Sec. 2. That after section 5 of said act (U. S. C., title 39, sec. 465), a new section shall be added, as follows:

"Sec. 6. That the Postmaster General may, by negotiation with an air-mail contractor who has satisfactorily operated under the authority of this act for a period of two years or more, arrange, with the consent of the surety for the contractor and the continuation of the obligation of the surety during the existence or life of the certificate provided for hereinafter, for the surrender of the contract and the substitution therefor of an air-mail route certificate, which shall be issued by the Postmaster General in the name of such air-mail contractor, and which shall provide that the holder shall have the right of carriage of air mail over the route set out in the certificate so long as he complies with such rules, regulations, and orders as shall from time to time be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting air-mail operations to the advances in the art of flying: *Provided*, That such certificate shall be for a period not exceeding 10 years from the beginning of carrying mail under the contract. Said certificate may be canceled at any time for willful neglect on the part of the holder to carry out such rules, regulations, or orders; notice of such intended cancellation to be given in writing by the Postmaster General and 60 days provided to the holder in which to answer such written notice of the Postmaster General. The rate of compensation to the holder of such an air-mail route certificate shall be determined by periodical negotiation between the certificate holder and the Postmaster General, but shall never exceed the rate of compensation provided for the original contract of the air-mail route certificate holder."

Mr. Speaker, it is universally agreed that, without the air mail, we would have no air transportation system worthy of the name.

The first air mail law was passed in 1925, and the following figures show the progress made:

Year	Air mail route miles	Mileage flown	Pounds carried
1925	2,815	2,076,764	232,513
1926	8,420	4,133,478	850,931
1927	8,223	5,041,659	1,452,426
1928	14,155	7,673,786	3,542,074
1929	26,597	13,052,507	7,100,027

The efficiency with which the air mail has operated under operation by private contractors is shown by the month by month reports of percentage of scheduled mileage flown for the last three years. The table follows:

	1927	1928	1929	Average
January	82.6	81.2	82.3	82.0
February	84.0	86.4	86.5	85.6
March	90.8	93.2	91.2	91.7
April	92.2	94.2	91.6	92.7
May	94.6	97.3	96.3	96.1
June	96.6	94.8	98.1	96.5
July	99.1	98.3	99.5	99.0
August	99.2	98.8	99.7	99.2
September	97.8	97.0	95.9	96.9
October	96.3	95.1	92.3	94.6
November	90.5	88.4	91.9	90.3
December	82.8	89.6	75.3	82.6

The table shows an efficiency average of 92.26 for the 3-year period, which is almost equal to that of the train service.

To-day there are 25 contract air mail routes in operation, with 45,556 miles scheduled to be flown each day.

The list of domestic air mail routes in operation is as follows:

	Miles
CAM-1, Boston to New York	192
CAM-2, Chicago to St. Louis	278
CAM-3, Chicago to Dallas	1,059
CAM-4, Salt Lake City to Los Angeles	600

	Miles
CAM-5, Salt Lake City to Pasco	530
CAM-8, Seattle to Los Angeles	1,141
CAM-9, Chicago to Minneapolis	664
CAM-11, Cleveland to Pittsburgh	123
CAM-12, Cheyenne to Pueblo	199
CAM-16, Cleveland to Louisville	345
CAM-17, New York to Chicago	718
CAM-18, Chicago to San Francisco	1,932
CAM-19, New York to Atlanta	780
CAM-20, Albany to Cleveland	446
CAM-21, Dallas to Galveston	320
CAM-22, Dallas to Brownsville	529
CAM-23, Atlanta to New Orleans	483
CAM-24, Chicago to Cincinnati	270
CAM-25, Atlanta to Miami	754
CAM-26, Great Falls to Salt Lake City	480
CAM-27, Bay City to Chicago	773
CAM-28, St. Louis to Omaha	404
CAM-29, New Orleans to Houston	319
CAM-30, Chicago to Atlanta	768
CAM-32, Pasco to Spokane and Seattle	449

Total 14,565

Mr. Speaker, we have spent out of the Treasury of the United States above revenues received for the carriage of air mail not to exceed \$20,000,000. It has been an outlay paying a hundred-fold and has led to an investment of a billion dollars by Americans.

This amendment we are considering will grant special aid to many companies now carrying on an air passenger service and losing money each month in doing so. We have helped the railroad industry by land grants and the automobile industry by highway improvements. We are justified in helping through the carriage of mail matter to bridge the gap between actual cost of air passenger transportation and the revenues received during the pioneer period. In doing that we have safeguarded the public funds and assured a fair chance to those in the business.

We are carrying out the traditional policy of the United States Post Office Department in giving even wider and better service to the people of the Nation.

In this service are hundreds of modest, competent young air mail flyers who show every moment those traditions of courage, loyalty, and self-reliance which we like to think are American virtues.

Heading them is Charlie Lindbergh, an air-mail pilot, who made his epoch-making flight as a postal worker, on leave of absence.

When the lad was given a reception in Washington, President Coolidge said:

Later he became connected with the United States mail service, where he exhibited marked ability and from which he is now on leave of absence.

His flying experience as an air-mail pilot made his trans-Atlantic flight possible. The training of Lindbergh and those like him is one of the results of the air-mail service.

Mr. Speaker, this measure as now written deserves the support of every Member.

Mr. MEAD. Mr. Speaker, I yield myself eight minutes. I ask unanimous consent to extend my remarks in the RECORD and to include in my remarks some references to certain propaganda.

THE SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, beginning in 1921 the Post Office Committee of the House worked faithfully to provide a contract air mail service which would encourage commercial aviation and furnish valuable service to the patrons of the Post Office. The first bill enacted was Public 359, Sixty-eighth Congress, approved February 2, 1925. This measure defined air mail as first-class mail, prepaid at rates which should not be less than 10 cents for each ounce or fraction thereof. The Postmaster General was authorized to contract with air carriers for the transportation of air mail at rates not to exceed four-fifths of the revenues.

Under this measure advertisements or bids were issued and some contracts were let. Experience showed, however, that the mail was delayed on account of scanning each individual piece of mail matter in order to determine the four-fifths of the revenue. Then the act of June 3, 1926, was passed, providing that the pay to contractors might be at fixed rates per pound, not exceeding \$3. Under this amendment additional contracts were let, in every case bids being advertised for and a fair chance given to all who desired to bid. Then the act of May 17, 1928, was passed, lowering the rate of postage on air mail to a rate not to be less than 5 cents for each ounce or fraction thereof. In connection with this lower rate it was provided that the Postmaster General should negotiate with the holders

of contracts and agree upon an adjusted rate because of the lower postage rate provided. The contractors in almost every instance urged that a rate be fixed upon so that they could be given the 6-year certificate provided in the law. The Postmaster General to this date has refused to adjust such rates and issue such certificates.

These three laws are those dealing with the air mail service. In every instance Congress has required advertising for bids and award to contractors after competition. In no case has there been an attempt to give power to the Postmaster General to award contracts without bidding. The policy has been to make air mail a real postal service and one which would be paid for by those who desire to use it.

It was our thought that the conservative policy of Congress in the past should be retained. The air mail has grown from a few pounds to 5,000,000 pounds of air mail in 1929. Of course, an excessive amount is being paid to the contractors to-day, because the Postmaster General has refused to carry out the mandate of Congress that the rates be adjusted in view of the 5-cent postage rate given. As to the payment of \$3 a pound on short flights, it is unfair to compare that with lower pound rates. On the short flights only a few pounds of air mail can be carried, and of course only the pounds actually carried are paid for. On the Chicago-New York route thousands of pounds of air mail are carried, and a much smaller rate means a proportionately greater profit.

The Kelly amendment to section 4 now contained in this bill is aimed to remove the dangers of favoritism and fraud in the award of contracts. It provides that when subsidy contracts are let to the air passenger lines, they shall be limited to 25 cubic feet or 225 pounds, and the rate paid the contractor shall not be over 40 cents a mile. It provides that the guaranteed load contracted for must be made up with first-class mail at regular rates. It provides further that bidders must have had six months' actual experience in operation and not have a prior air-mail contract. This gives the Postmaster General authority to revise the present air-mail contracts on a space basis and pay up to \$1.25 per mile for such contracts. The limitation of 40 cents a mile is only on those contracts where air mail will not be sufficient to justify a contract.

Mr. Speaker, I also desire to clear up some misunderstanding that might exist in the minds of Members of the House in regard to this bill, because of a minority report which the gentleman from Nebraska [Mr. MOREHEAD] and I signed, and which accompanied the report on the original Watres bill. In that report we registered our objection to the unlimited grant of power to the Postmaster General as contained in section 4 of that measure, for the reason that it was a deviation from the traditions of 140 years relative to the rate-making powers of Congress affecting rates of postage.

While we have steadfastly stood for the best interests of aviation and consistently supported legislation from the very beginning of the air mail service, we refused to confer upon the Postmaster General the unlimited and unwarranted powers contained in the original Watres bill reported to the House some time ago. Since that measure was placed on the House Calendar a change has come over the Postmaster General. The original bill has been withdrawn, and the safeguarding and limiting provisions recommended by the gentleman from Nebraska [Mr. MOREHEAD] and myself have been adopted and are contained in the bill now before us.

This bill carries with it the unanimous approval of the Committee on the Post Office and Post Roads, which includes the approval of both the gentleman from Nebraska [Mr. MOREHEAD] and myself, who signed the original minority report.

Mr. Speaker, this bill aids and assists a particular industry—aviation—and with that objective we very gladly support the new bill. Some time ago a bill was passed granting a similar subsidy to the merchant marine, also a highly meritorious and commendable measure. However there is a more serious problem which Congress and the President of the United States have so far neglected. That is the unemployment problem. Our Government has neglected in this period of suffering, unemployment, and poverty, to enact legislation that would set an example for the great industries of the country to follow. We have failed thus far to give any consideration to the masses of our people who plead for aid, for help.

While we are creating a subsidy for the aviation industry in this measure, and while we did the same for our merchant marine in the passage of the shipping bill, we forget to consider the bigger question—the welfare of the workers of our country.

The same committee that reported out this bill also reported out a measure, limiting the hours of service of the men who toil in the Post Office Department, and, while we may have permission to suspend the rules in the interest of the aviation industry, we find it impossible to bring up the bill that would

be of material help to the men who work in this great service, a measure that would set a splendid example to private employers of labor throughout the United States. Are we not missing the chance to practice what we preach? We are remiss in our duty unless we consider the want and suffering existing in the country to-day, brought about, as we all know, by mergers and consolidations and the substitution of labor-saving machinery and electrical energy for human labor. Unless we favorably consider such bills as the 44-hour bill, the retirement bill, and similar measures, we fail to grasp the seriousness of the situation which the country finds itself in to-day. Our people by the million are rapidly reaching a period of despair in a cloud that promises no correction for the better, no matter where they look for better times, for better things. The unemployment situation is by far the greatest and most serious evil in this country to-day. While we are taking care of the so-called big interests, we must not fail to take care of the masses who are in great need of our help.

The position of the minority on this particular legislation is one of approval. We favor its adoption. As I have already stated, it has the unanimous support of the committee. It is a better bill, as far as Congress and the Post Office Department are concerned, than the original measure, because there are limiting safeguards surrounding the administration of the law. It will do more for aviation, more for the air mail service, more to promote this great industry than the original measure which would create an unlimited, unwarranted subsidy, and make the Postmaster General a dictator and czar of the industry.

The principal changes made in this legislation involve a departure from the existing poundage system to a mileage system that will help regulate the issuance of contracts, but in all cases, whether it be to the lines now carrying air mail or to passenger lines that will be permitted to carry air mail, there is fair and just competition in the consideration of all contracts. Every legitimate company which has had at least six months' experience can bid for the contract for the carrying of all mail under the bill which is now before you.

The SPEAKER. The time of the gentleman has expired.

Mr. MEAD. I yield myself two additional minutes, Mr. Speaker.

The present bill, in my judgment, bids fair to promote the aviation industry in America beyond that of any other nation on earth. The minority, therefore, recommends its favorable consideration on the part of the House.

Mr. SWING. Will the gentleman yield?

Mr. MEAD. I yield to the gentleman.

Mr. SWING. The gentleman from New York [Mr. MEAD] has made a very persuasive and convincing statement in behalf of the Government air mail service. Does the gentleman know of any reason why Members of Congress should be excluded from the use of this governmental agency? The gentleman understands that Members of Congress do not have the right to send official letters requiring expeditious transmission by air mail. We now must choose between the slow mail and the expensive telegraph. Does not the gentleman think there should be extended to Government officials the right to use the Government's air mail service, under proper limitations and safeguards, the same as we use the post office ordinary mail and the telegraph? I think it would save the Government money by cutting down our telegraph bills.

Mr. MEAD. I shall gladly yield to the gentleman from Pennsylvania [Mr. KELLY], who will answer your question.

Mr. KELLY. While I know the gentleman from New York [Mr. MEAD] understands the matter thoroughly, I shall answer the gentleman. Of course, we are in favor of his proposal, but, there should be, under a provision like this, a bill granting help to the mail service, an appropriation by Congress to pay for the letters sent by Members of Congress.

Whatever amount is necessary should be appropriated by the Appropriations Committee to cover our letters when they are sent out under these contracts.

Mr. SWING. I have a bill pending and I hope I can get favorable action on it. It provides, not for the franking privilege, but for Congress paying for the air mail that may be sent by its Members.

Mr. MEAD. I thank the gentleman for his contribution, and I shall be glad to favorably consider such a measure.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. MEAD. Mr. Speaker, I yield myself one additional minute.

Mr. BANKHEAD. The gentleman from Pennsylvania [Mr. KELLY] in answer to my inquiry said he did not know how much the subsidy involved in this proposition would figure out. The gentleman from New York says this involves a subsidy to the operators. Does the gentleman know to what extent

that subsidy may go annually under the provisions of this bill?

Mr. MEAD. I do not believe it can be stated with any degree of accuracy, but I will say to the gentleman that there are so many limitations and safeguards placed around the provisions of the bill that it is reduced to a very reasonable minimum. For example, on passenger lines not now carrying air mail no more than 225 pounds of space at 40 cents a mile can be contracted for, and in planes now carrying mail under existing contracts this bill provides that the maximum paid to them shall not exceed \$1.25 a mile. Then there is this added check, that there must be 9 pounds of air mail for every cubic foot of space required.

The following is a copy of the minority report on the original Watres bill:

MINORITY VIEWS

We, the undersigned members of the Committee on the Post Office and Post Roads, object to the approval of H. R. 9500 in its present form and recommend the adoption of an amendment which will define and limit the power conferred upon the Postmaster General by the provisions of this legislation.

Under the provisions of section 4 of this bill the Postmaster General is authorized to award contracts by negotiation without advertising for or considering bids. This provision, making the Postmaster General a law unto himself, eliminates competition, and is nothing more than a subsidy in the interest of the aircraft industry. While we favor, and have in the past voted for, liberal appropriations and liberal legislation in the interest of the development of aeronautics, we believe this legislation is a step in the wrong direction and some limitations and safeguards should be written into the bill before it becomes a law.

An amendment limiting the powers of the Postmaster General was offered by Representative KELLY and rejected by the committee. This amendment is as follows:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of air mail by aircraft between such points as he may designate to the lowest responsible bidder at fixed rates per mile for definite weight spaces, 1 cubic foot of space being computed as the equivalent of 9 pounds of air mail, such rates not to exceed \$1.25 per mile: *Provided*, That the Postmaster General may contract with any individual, firm, or corporation not having an air mail contract, and having maintained an air transportation service for not less than six months prior thereto, for the carriage by aircraft of a guaranteed load of mail matter not to exceed 25 cubic feet and not more than 225 pounds, at a rate not to exceed 40 cents a mile. And he is hereby authorized to add any first-class mail matter necessary to make up the guaranteed load specified in the contract. In awarding a mail contract the Postmaster General may give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving."

An illustration of the comparative cost of rail and air transportation of mail follows:

A 640-mile run from Washington to Atlanta by rail for a 3-foot closed-pouch unit of 125 cubic feet capacity would cost \$28.80, and for a round trip the cost would be \$57.60 between these two cities. By airplane with a maximum capacity of 125 cubic feet and at the rate of \$1.25 per mile it would cost \$717.25. The round trip cost would be \$1,434.50.

We believe the legislation was considered hastily and should be amended in the House.

JAS. M. MEAD.
JOHN H. MOREHEAD.

The following comment by the Comptroller General of the United States relative to the original Watres bill is interesting:

In re provisions of section 4 of H. R. 9500, Seventy-first Congress, second session, entitled "A bill to amend the air mail act of February 2, 1925, as amended by the acts of June 3, 1926, and May 17, 1928, further to encourage commercial aviation by authorizing the Postmaster General to establish air mail routes."

The section referred to above provides:

"SEC. 4. The Postmaster General is authorized to award contracts for the transportation of mail by aircraft between such points as he may designate to the lowest responsible bidders at fixed rates per mile for definite weight spaces, such rates not to exceed \$1.25 per mile: *Provided*, That when in his opinion the public interests shall so require, he may award such contracts by negotiation and without advertising for or considering bids. In awarding air-mail contracts the Postmaster General will give proper consideration to the equities of air mail and other aircraft operators with respect to the routes which they have been operating and the territories which they have been serving."

The provisions of section 3709, Revised Statutes, require generally that all contracts in any of the departments of the Government, except for personal services and except in cases of emergency, be made after advertising a sufficient length of time previously respecting same. Among the apparent purposes of this requirement are (1) to give all citizens an

equal right to compete for and share in the Government's business, (2) to prevent fraud and collusion on the part of officers and employees in the awarding of Government contracts, and (3) to obtain for the Government the benefit of getting its needs supplied at the lowest prices available. It is not apparent why these same purposes are not desirable of accomplishment with respect to the awarding of air-mail contracts. Evidently as a precaution against any holding that because of the element of personal service involved in the carrying of mails the provisions of section 3709, Revised Statutes, would not be applicable thereto, the Congress has from time to time enacted legislation specifically requiring the Postmaster General to advertise for bids for such service and to award the contract to the lowest responsible bidder. See in this connection the acts of June 8, 1872 (17 Stat. 313), March 1, 1881 (21 Stat. 374), April 21, 1902 (32 Stat. 114), May 12, 1910 (36 Stat. 366). The long-established policy of the Congress with respect to requiring advertising in the matter of letter mail-carrying contracts is exemplified by the provisions of section 3949, Revised Statutes, as amended, as late as March 18, 1916 (39 Stat. 161), which read:

"All contracts for carrying the mail shall be in the name of the United States, and shall be awarded to the lowest bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement: *Provided, however*, That such contracts require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

For reasons that are apparent section 3942, Revised Statutes, authorizes the awarding of contracts for carrying the mail on railway trains without advertising. Similar authority is granted under section 3943, Revised Statutes, with respect to carrying the mail on vessels plying between ports of the United States "whenever the public interest and convenience will thereby be promoted."

The air mail act of February 2, 1925, as amended by the act of June 3, 1926, was further amended by the act of May 17, 1928 (45 Stat. 594), which provided for what is known as the certificate provision, apparently designated to protect certain equities and rights of air-mail contractors who have successfully operated for a period of two years or more under the provisions of the said air mail act, the practical effect of the act being that the Postmaster General was granted authority to extend the life of contracts from the original 4-year period to a maximum of 10 years, with revision of the rates downward, only.

The circumstances and conditions which evidently influenced the Congress to exempt from the advertising requirement contracts for carrying the mail by rail and on vessels plying between ports of the United States do not exist or arise in the matter of air-mail contracts. Railroads and the vessels referred to either are the only available means of carrying the mail over the particular route, or else they operate on established schedules between the points regardless of whether mail is or is not carried. No competing lines over the identical route would operate on the same schedule. In either situation advertising would serve no useful purpose. With respect to air mail routes, the situation is entirely different. As stated in a recent decision of the Comptroller General of the United States (6 Comp. Gen. 557), "The air is an open field without rights of way or routes being within the control or monopoly of anyone, but apparently open to all who may furnish or satisfy of their ability to furnish the equipment, etc., to carry out the undertaking." Hence there would appear to be no sufficient reason why there should not be competition in the matter of these air-mail contracts.

Under our system of government, it is necessary that there be checks and balances in the administration of the Government, and whenever the Congress fails to control by law the discretion of purchasing and contracting officers of the Government, with adequate machinery to enforce that control, it opens the door to fraud, favoritism, waste, and extravagance. Responsible, loyal, and conscientious administrative heads of the departments and establishments of the Government—drawn for short intervals from the body politic to serve their Government—should not be subject to pressure of would-be contractors, nor should legitimate contractors be required to indulge in questionable practices in order to secure public contracts. Also, the interest and confidence of the people in their Government and the integrity of their officers must be preserved and such preservation requires that there be no modification or departure from the century-old procedure of control by law over the expenditures of public funds, not only for the Post Office Department but for the entire administrative service of the Government. Furthermore, it is contrary to the principles of American government that legislative control over public funds as contemplated by the act in question, be surrendered to the agent or agency that is to spend it.

That competition should be had in contracting for carrying of mail by airplane and that pressure would be brought to bear on the Postmaster General if the proposed bill is enacted into a law, is admitted by the Postmaster General in his testimony before the committee. See page 25, hearings of February 19, 1930, wherein he stated as follows:

"Postmaster General BROWN. * * * I personally believe in competitive bidding as a fundamental principle. * * *

"Postmaster General BROWN. Of course, when we come to section 5 we take the certificate feature of the law of 1928 and adapt it to this different principle of compensation, but we thought it was necessary in section 4 to provide for the cases of essential air mail routes that are not now being served, and for the passenger-mail routes that are not being served. We believe that there were equities there that ought to be observed, and that we would be better off if we could pick our man in the present state of the art, rather than to submit the result to competitive bidding.

"Mr. KELLY. Do you think that will result in considerable pressure upon you?

"Postmaster General BROWN. I am inclined to think, Mr. KELLY, that if you pass this bill you will add about six years to my age by so doing. But somebody has got to try to solve this problem or we are going to have a collapse of the passenger-carrying industry in this country.

"Mr. KELLY. I am afraid there will be responsibility on every Member of Congress."

Mr. SANDERS of New York. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. WATRES].

Mr. WATRES. Mr. Speaker, as I view it, the vital part of the measure before the House is the change in the provision of the law which provides that the compensation to the carriers of the air mail shall be on the basis of fixed rates per mile, for definite weight spaces. It is true there are other matters in the bill. The compensation paid to the air mail carriers at the present time, resulting from a combination of conditions under which the contracts must now be made, is so inequitable as to require a rewriting of the law. There is no uniformity whatever in the present contracts.

As was explained to you fully by the gentleman from Pennsylvania and the gentleman from New York, compensation is now based on poundage without reference to distance carried. Under the proposed law it will be based on mileage for definite weight spaces. That is the vital provision of the proposed law.

I would like to say, in answer to the question raised by the gentleman from Alabama, as to the amount of subsidy now paid, that it is true, as stated by the gentleman from New York, that there can be no definite figure given as to the amount of subsidy now paid for the reason that regular postage stamps may be used for air mail, and there is no possibility of computing exactly what the receipts on account of air mail are at the present time. As nearly as can be estimated by the department, the loss at the present time is about \$7,000,000, and the total cost to the department is \$15,000,000. I think I may say that if this bill becomes a law the department contemplates an increase in the air mail rates which will proportionately decrease the amount of loss to the department for the air mail. Does that answer the gentleman?

Mr. BANKHEAD. No; it does not answer it, but I imagine that comes as nearly answering it as possible under the language of this bill. It is merely a guess, and I do not imagine there is any way of estimating the amount of subsidy authorized by the bill now under consideration.

Mr. WATRES. I may say in answer to that that the present law authorizes the unlimited placing of contracts, while the proposed law places a limit on the contracts which may be authorized. I think the gentleman will find that is true on an examination of the bill and the present law.

Mr. HASTINGS. Will the gentleman yield?

Mr. WATRES. Yes.

Mr. HASTINGS. How much do we expend out of the Federal Treasury on the air mail service?

Mr. WATRES. Fifteen million dollars.

Mr. HASTINGS. We expend \$15,000,000 out of the Federal Treasury on the 25 air mail routes mentioned in the report.

Mr. WATRES. That is true, but you should offset against that the amount received for postage.

Mr. HASTINGS. Which is about \$8,000,000.

Mr. WATRES. Yes.

Mr. HASTINGS. Therefore the loss is about \$7,000,000.

Mr. WATRES. The loss is about \$7,000,000 and the income is about \$8,000,000. To a large extent the last section of the bill will take care of that deficit.

Mr. MEAD. Mr. Speaker, I yield four minutes to my colleague on the committee, the gentleman from Indiana [Mr. Hogg].

Mr. HOGG. Mr. Speaker and Members of the House, every day planes carrying United States mail travel 51,156 miles. A letter can be sent in 32 hours from Boston to Los Angeles for 5 cents. A letter is carried from the Gulf to the Twin Cities in 14 hours. More than 100,000 men are employed in the aviation

industry. The total capital investment is near a billion dollars. There are 43,520 licensed pilots in the United States.

UNITED STATES AIR LINES

In 1929 there were 93 air lines operating in the United States, of which 64 carried passengers, 50 carried mail, and 32 express. Some of these routes extended into foreign countries. About 120,000,000 miles were flown during the year.

Seven million ninety-six thousand nine hundred and three pounds of mail were carried in 1929. For this the Government paid the contractors \$13,869,606.16. The average compensation per mile traveled was \$1.05. In 1929 there were 92.7 per cent of the airplane mail schedules completed on exact schedule time.

More than 5,000 commercial airplanes are being built each year. The greatest element in the development of aviation in the United States has been the use of the airplane for carrying mail, which has caused planes to be operated on exacting schedules and in all kinds of weather conditions. There has been only one fatal accident for every million miles of travel. America is leading the world in every line of aviation development as well as in the volume of travel and service.

COMPETITIVE BIDDING ON SPACE BASIS

At the present time much mail is carried by operators who have secured contracts by competitive bidding for certain pay per pound between specified points. As the amount of mail is greater in proportion to the distance between these points, the bids for longer hauls are lower. The limit under the present law is \$3 per pound. Thus the Government is paying, by means of competitive bidding, 78 cents per pound from Chicago to Atlanta and \$3 a pound from Cleveland to Pittsburgh.

Under the terms of the present bill before the House contracts will be let to the lowest responsible bidder for definite weight spaces per mile, and the Postmaster General is given the right to consolidate and to extend the present routes.

One cubic foot of space is computed as being equivalent to 9 pounds of mail and the rate shall not exceed \$1.25 per mile in any instance.

SAVING UNDER PRESENT BILL

It is estimated by the Post Office Department that the cost of carrying the mail by this method the compensation will be lowered from \$1.05 per mile to 72 cents per mile.

Rural free-delivery routes are being consolidated and a saving is made of an average of a thousand dollars for each route consolidated. This saving is being used by the Post Office Department for the further extension of rural free-delivery service.

Through the saving effected by the present air mail bill there will be further extensions of air-mail service to parts of our country not now having such service.

Passenger-carrying lines are usually operating at a loss. The Postmaster General is authorized by means of competitive bidding to purchase space in these planes for the carrying of mail to the extent of 25 cubic feet, or 225 pounds. This will materially assist passenger-carrying lines to continue passenger service.

After a contract is let to the lowest responsible bidder the pay can not be increased, but the Postmaster General has the right to lower the pay at regular intervals, to the end that no bidder shall make an unusual profit in the carrying of air mail.

CERTIFICATE METHOD

The bill further provides that the Postmaster General may, if in his judgment the public interest will be promoted thereby, upon the surrender of any airmail contract, issue in substitution therefor a route certificate for a period of not exceeding 10 years from the date service started under such contract to any contractor or subcontractor who has satisfactorily operated an airmail route for a period of not less than two years, which certificate shall provide that the holder thereof shall have the right, so long as he complies with all rules, regulations, and orders that may be issued by the Postmaster General for meeting the needs of the Postal Service and adjusting mail operations to the advances in the art of flying and passenger transportation, to carry air mail over the route set out in the certificate or any modification thereof at rates of compensation to be fixed from time to time, at least annually, by the Postmaster General, and he shall publish in his annual report his reasons for the continuance or the modification of any rates, provided that such rates shall not exceed \$1.25 per mile. Such certificate may be canceled at any time for willful neglect on the part of the holder to carry out any rules, regulations, or orders made for his guidance, notice of such intended cancellation to be given in writing by the Postmaster General and 45 days allowed the holder in which to show cause why the certificate should not be canceled.

EXTENSIONS AUTHORIZED

The Postmaster General, when in his judgment the public interest will be promoted thereby, may make any extensions or

consolidations of routes which are now or may hereafter be established. He may also provide service to Canadian points within 150 miles of the international boundary line, over domestic mail, or both, to and from any points on such routes and make payment for services over such routes out of the appropriation for the domestic air-mail service.

PASSAGE OF BILL IMPERATIVE

Under the leadership of Generals Walter F. Brown, Harry S. New, and W. Irving Glover the Post Office Department has, and is expending, every possible effort for the development of aviation in the United States. By means of progressive legislation it is welding together distant parts of our country with air transportation. The provisions of the present bill are above criticism. Its passage is imperative for the continued development of aviation. [Applause.]

Mr. MEAD. Mr. Speaker, I yield four minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, it is frankly admitted that the purpose of this bill is to subsidize new aviation lines. That being so, the mere fact that we legislate and the fact we appropriate does not necessarily mean that aviation is assisted or the industry developed. Legislation is necessary, appropriation is necessary, but you must have intelligent, prudent, and honest administration of a subsidy law and the funds appropriated for that purpose, otherwise nothing is accomplished.

It is true this bill attempts to safeguard as much as it is humanly possible to safeguard a subject of this kind by legislation. In the light of the experience we have had with subsidies, it is well that we state here the intent of Congress in passing the bill now before us. I think we are all agreed that the bill provides that mail must be actually carried in order to obtain and earn the payments provided in the bill. In other words, in order to qualify for a contract or subsidy, if you please, it is necessary to establish to the satisfaction of the department that the applicant has, first, the equipment; second, the experience; third, the space in flying planes; and, fourth, the actual operation of planes between given points. I point out these requirements in order to avoid any misconception of the law later on.

If this is followed and contracts are given where mail can and will be actually carried, then we will do some good; but I submit to the House that such was the intention at the time we passed the merchant marine act. It was there intended that we would subsidize ships that carry mail or capable of carrying mail in competition with foreign ships, and we find that the merchant marine act has been so construed and so administered, Mr. Speaker, as to permit one contractor to charter ships from the Government at 25 cents a ton, pay the Government \$2,000 a month for the ship, and get \$14,000 a month for that same ship from the Government for ostensibly carrying mail on that ship, while, as a matter of fact, it carried no first-class mail.

Surely such administration of a subsidy fund is not going to build up our American merchant marine. We will not build up an aviation industry or an air mail service if the same business prudence, the same favoritism, or the same lack of vision is followed that has been followed in the administration of the merchant marine act and in the spending of the appropriations which we have provided for that purpose.

I sincerely hope there will be some fairness and some common sense exercised in administering this law.

We can build up air mail lines, we can build up a commercial aviation industry, if the law is properly administered and the available fund judiciously allotted.

Now, here we have a new means of transportation. If Congress decides to subsidize air mail in order to encourage air transportation, it does so because of the belief that this new method will eventually be the normal way of carrying mail. Surely the money spent for the carrying of mail by air should come out of the amount now spent for carrying mail by rail, otherwise we are not progressing. It is incomprehensible that we should continue the same contracts with the railroads and develop these air lines carrying thousands of pounds of first-class mail and not economize in the amount of money paid the railroads for carrying the mail. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. SANDERS] to suspend the rules and pass the bill as amended.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

CONSTRUCTION OF PUBLIC WORKS BY THE NAVY

The next business on the Consent Calendar was the bill (H. R. 1192) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes. The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FRENCH. Mr. Speaker, I reserve the right to object, and I do not think it will be necessary to object.

Among the different places where it is proposed that authorization be made for construction of quarters or accommodations are several where it seems important that the same accommodations be provided for the Navy as we have provided heretofore for the Army. For instance, one of the places referred to is on page 3 of the bill where it is provided that commandant's quarters shall be built at the naval base in the Canal Zone at a cost of \$35,000.

Now, it happens that the commanding officer or the general officer of the Army in any post has quarters that may not cost in excess of \$15,000. The quarters of other officers in the Army, from majors to colonels, inclusive, are rated at not to exceed \$12,000, and from second lieutenants to captains at not to exceed \$9,000.

It is the experience of our committee that wherever the Congress has provided accommodations in general law for one service that are greatly in excess of the accommodations provided for another service, we run into great difficulty; dissatisfaction exists, and it is necessary, in the interest of good legislation, as well as economy, that a somewhat systematic program touching all the services to be carried forward.

With the thought of harmonizing the situation in the Canal Zone, I want to ask the gentleman who reported the bill if he would be agreeable to an amendment that would fix the amount to be expended for commandant's quarters at \$15,000 instead of \$35,000?

Mr. WOODRUFF. I would be very glad to do that, and I think I can speak for the committee.

Mr. FRENCH. And may I ask in the same connection, if you would accept this language at the end of the paragraph?—

Provided, That the limit of cost in the act of June 25, 1910, shall apply to all authorizations contained in the act in building quarters for officers corresponding in grade and rank.

That language would provide the same condition for the naval establishment as for the Army.

Mr. WOODRUFF. I will say that that seems a fair proposition, but the gentleman should not forget the fact that at the time the law he quotes became a law in 1910, the cost of construction was very much less than it is to-day. However, this is a very important bill. It has been before Congress for the last four years. It has passed the House twice unanimously and the Senate has recently passed it unanimously, and as this seems to be the only opportunity we will have to secure the passage of this bill promptly we might much better accept the relative unimportant proposal of the gentleman than to bring about the defeat of so many more important items.

Mr. COLLINS. The gentleman refers to title 10, section 1327?

Mr. FRENCH. Yes.

Mr. COLLINS. Reserving the right to object, there appears an item, "Naval station at San Diego, Calif., \$425,000."

Mr. WOODRUFF. That item is for a small floating dry dock at San Diego.

Mr. COLLINS. Paragraph 10 provides for the lease of a floating dry dock at New Orleans. I would like to ask the gentleman if he would be willing to strike out the dry dock at San Diego.

Mr. WOODRUFF. I would not care to do that. I will not say that I will not do it, but I will state the reason. I want to say that we have had this same bill before the House for four years. Twice it has passed the House unanimously. It was reported by the committee unanimously, and the item which the gentleman refers to is of first importance, in the judgment of the Navy Department.

The department submitted to the committee a list of the different things required in the order of their priority, the most important being No. 1, the next No. 2, and so forth. No. 1 on this list is the item of which the gentleman speaks. Now, this particular dry dock proposed in this item is of more importance than appears on the face of things. There has never yet been constructed in the world anywhere a dry dock such as is proposed in this bill. It is something new in the way of a dry dock. It is something that I can not go into detail about on the floor of the House, and I am going to ask the gentleman to accept my statement in regard to its importance.

Mr. LAGUARDIA. How about the dry dock in New Orleans? I have a hazy recollection that we had a dry dock down there and authorized either the Shipping Board or the Navy to sell it or give it away.

Mr. WOODRUFF. A year ago when this same bill was before the House an amendment was offered by the gentleman from Indiana [Mr. WOOD] providing that the Secretary of the

Navy might lease this particular dock. This same item was in the Senate bill and it was stricken out in the Senate.

Mr. LAGUARDIA. Are you going to build another dry dock in New Orleans?

Mr. WOODRUFF. No; the dry dock proposed for San Diego is a small dock, and the one at New Orleans is a large one.

Mr. LAGUARDIA. What are you going to do at New Orleans?

Mr. WOODRUFF. We are going to leave the dock there.

Mr. LAGUARDIA. And you are not going to sell it or give it away?

Mr. WOODRUFF. Of course we are not going to give it away or sell it.

Mr. LAGUARDIA. Why did you want to give it away a year ago?

Mr. WOODRUFF. We never wanted to give it away. It is not now being used by the Navy and we want to lease it to some one who will use it, keep it in repair, and have it ready for us at any time it is needed by the Government.

Mr. LAGUARDIA. And now you want to give it away?

Mr. WOODRUFF. We do not want to give it away. The provision in the bill is to lease the dry dock as it was in the bill that we passed a year ago, but the Senate, which passed this bill unanimously the other day, struck from the bill that particular item. That is the only difference between the Senate bill and the House bill.

Mr. FRENCH. Would it be practicable to move the dry dock from New Orleans to San Diego?

Mr. WOODRUFF. No; because the dry dock at New Orleans is a dry dock for large ships and the proposed dock at San Diego is a dry dock for destroyers, submarines, mine layers and the smaller ships of the Navy and the commerce of that port, and it is this type of dry dock that is needed at San Diego.

Mr. BRITTEN. There is no dry dock at San Diego. There is a small marine railway that was used by the Shipping Board years ago for construction purposes. That marine railway extends its nose into the salt water and is rotted.

Mr. COLLINS. Ships are brought up by the use of chains.

Mr. BRITTEN. Yes.

Mr. COLLINS. It is operating perfectly.

Mr. WOODRUFF. It is not operating perfectly. Within the last two years that marine railway has been disabled at different times and once it was out of commission for a period of more than nine months. It is frequently out of repair and is not capable of handling the business of that harbor continuously and satisfactorily.

Mr. BRITTEN. And it is not a floating dry dock; it is permanent construction.

Mr. WOODRUFF. It has been built for a great many years.

Mr. VINSON of Georgia. In view of the fact that there are a great many other items of considerable importance to the national defense in this bill, will the gentleman not accept these two amendments and let us get the bill up and consider it in the House?

Mr. O'CONNOR of Louisiana. Mr. Speaker, I reserve the right to object. This is a most important and interesting bill from many standpoints. I could probably talk for an hour upon it with some little value to the Members of this House. But I will be brief as my main purpose is to answer the question asked by the gentleman from Idaho [Mr. FRENCH] about taking the dry dock from New Orleans and moving it to San Diego.

I am wondering what patriotic impulse, what economic theory, or what historic incident or recollection would suggest to his mind the wisdom of moving the dock from New Orleans to San Diego. Why, the Mississippi River has been inseparably associated with all that is great, splendid, inspiring, and wonderful in your Navy. I did not think it would be necessary to suggest to his mind, or to the mind of any Member here that the Mississippi River is forever connected with the enterprise that led Great Britain to invade the United States of America in 1812, and it was below New Orleans, as a result of that invasion, that was fought the only battle in that tragic struggle which relieved us from the many disgraceful defeats we encountered in the engagements we had with the British Armies. It was in the Civil War that the Union broke the back of the Confederacy by invading the Mississippi River and taking New Orleans under Farragut and Butler. Does the gentleman believe that history will not repeat itself? Does anyone believe that the lower Mississippi may not become again the theater and stage of another great epoch should a foe ever try to come that way into the heart of the country? My friends, one of the things that no one will ever understand in connection with the placement of our naval stations is why New Orleans has not been given first consideration by virtue of its geographical and strategic situation. And we wonder and marvel the more when we are told that there are about seven stations from Hampton

Roads up the Atlantic coast, where no naval engagement can ever take place. You have any number on the Pacific coast, and has anyone else believed that an engagement will ever be fought off that coast? The Caribbean Sea, the Gulf of Mexico, and the Mississippi River are the theaters on which have been played out the greatest naval engagements in the history of our country, and to suggest now that the one place that ought to have the consideration and attention of the country, if you wish to place your naval stations at a strategic and in a proper place, shall be practically bludgeoned out of existence, is in my judgment the most unavalistic suggestion, if I may use such a word, that I ever heard.

Mr. WOODRUFF. Will my friend permit me to offer the suggestion that there is no danger of moving this dry dock from New Orleans to any other place on the coast.

Mr. O'CONNOR of Louisiana. I hope not, patriotically and otherwise. I admit that politics apparently is inseparably associated with every problem that comes before the House, but if this administration could forget that Louisiana happens to be a Democratic State, although we do vote for Republican policies frequently here on the floor, and give it the same consideration that they give to other places from the Army and Navy standpoint, the gentleman knows, and I know that the New Orleans Navy Yard would be in operation ready for the tremendous day that we all know must come, if not within 10 years, then within 20 years.

Mr. LAGUARDIA. Is the gentleman in favor of the leasing of this dry dock?

Mr. O'CONNOR of Louisiana. Yes; I would like to see it operated there. I admit the dock ought to be put to some useful purpose, but if the Senate has stricken it out of its bill, which is presently under consideration, having been substituted for the House bill, why should I undertake to butt my head against a stone wall and ask for something I can not get on the floor now? Let that phase and part of the bill be threshed out in conference—and I hope that the House conferees will insist upon the House views and force the Senate conferees to yield, so that this great dock may be used as an additional facility to the commerce of the Mississippi Valley until such time as the administration and the Republican leadership of the Congress will be inspired and have the patriotic vision to see that which in the light of our history and the possession and development of naval bases by European nations in the Caribbean Sea and the Gulf makes it the common sense and entirely obvious thing to do, and that is to open and operate the New Orleans Navy Yard so that we may be ready for any contingency or eventuality. I have nothing to say about the location of other navy yards, for those locations speak for themselves, and everyone in this House may draw his own conclusions. But ask yourselves if with the whole picture before us, is New Orleans not the one place that should be considered above all others as an Army and naval base in the preparation or execution of our plan for the national defense?

The SPEAKER. Is there objection?

Mr. COLLINS. Reserving the right to object, will the gentleman accept my amendment?

Mr. BRITTEN. What is the gentleman's amendment?

Mr. COLLINS. Four hundred and twenty-five thousand dollars.

Mr. WOODRUFF. I do not like to accept an amendment of that kind. I will say, Mr. Speaker, that because of the fact that this bill, as I said before, has been before the House for the last four years, and inasmuch as this seems to be the only opportunity we will have to get the bill through the House this year, I am prepared to accept the amendment, but I must say that I can not congratulate the gentleman from Mississippi on his proposition.

Mr. PATTERSON. Reserving the right to object, Mr. Speaker, how much of an appropriation does this bill carry?

Mr. BRITTEN. None.

Mr. PATTERSON. I mean authorization.

Mr. BRITTEN. Ten million dollars.

Mr. PATTERSON. It is in line with the President's program?

Mr. BRITTEN. Yes; it is indorsed by the Budget and it has the approval of the President.

Mr. PATTERSON. I hope we shall arrive at some conclusion as to armament as the President announced in his speech last year.

Mr. BRITTEN. There is not an item in this bill that would not be in the bill if we cut our Navy in half.

Mr. PATTERSON. If it is \$10,000,000 to-day, and other large amounts follow hereafter, big items, which you pass by unanimous consent—

Mr. WOODRUFF. It has already passed the Senate, and heretofore has passed the House by unanimous consent on two different occasions. These things provided in the bill are clearly

needed. There should be no question of the advisability of any item.

Mr. PATTERSON. I am not going to object, but I think we should take into account the sentiment of the President as to the reduction or limitation of armament.

Mr. WOODRUFF. The committee has conformed with the President's wishes in every respect.

The SPEAKER. Is there objection?

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Senate bill 549 be considered instead of the House bill.

Mr. WOODRUFF. I ask unanimous consent, Mr. Speaker, that the Senate bill 549 be taken from the Speaker's table, and that all after the enacting clause be stricken out and that the House bill be substituted. I may state, Mr. Speaker, that the Senate bill is identical with the House bill, with the exception of section 10.

The SPEAKER. The Chair thinks that consent should first be obtained for the consideration of the Senate bill. Is there objection to the consideration of the Senate bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Mr. WOODRUFF. Mr. Speaker, I ask unanimous consent that all after the enacting clause be stricken out and that the House bill be inserted.

Mr. FRENCH. Mr. Speaker, ought we not to perfect the language of the House bill first?

The SPEAKER. The Chair thinks that would be the proper way to proceed.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, the motion of the gentleman from Mississippi [Mr. COLLINS] will be taken care of under the suggestion of the Speaker, would it?

The SPEAKER. The amendment could be offered only by unanimous consent.

Mr. WOODRUFF. I ask unanimous consent that the procedure be as I have suggested.

The SPEAKER. The gentleman from Michigan asks unanimous consent that all after the enacting clause of the Senate bill be stricken out and that the House bill be substituted for the body of the Senate bill. Is there objection?

There was no objection.

The SPEAKER. The Chair thinks under the circumstances that the House bill will be considered as one amendment. Amendments can be offered at the conclusion of the reading.

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized to proceed with the construction of the following-named public-works projects at a cost not to exceed the amount stated after each item enumerated:

Naval station, San Diego, Calif.: One small floating dry dock, \$425,000.

Naval station, Pearl Harbor, Hawaii: Water-front development, \$1,200,000; to continue improvements to harbor and channel, \$500,000.

Submarine base, Pearl Harbor, Hawaii: General facilities buildings, \$290,000; officers' quarters, \$100,000.

Naval air station, San Diego, Calif.: Metal aircraft structures shop, \$130,000; physical instruction, gymnasium, and welfare building, \$150,000; seven land-plane hangars, \$275,000.

Navy yard, Puget Sound, Wash.: Accessories and crane, Pier No. 6, \$1,310,000; equipment house, \$100,000; paint and oil storehouse, \$125,000.

Naval air station, Pearl Harbor, Hawaii: Hangar, \$224,000; torpedo storage and charging plant, \$25,000.

Naval air station, Coco Solo, Canal Zone: Aircraft-overhaul shop, \$90,000; bachelor officers' quarters, \$120,000.

Naval training station, San Diego, Calif.: Mess hall and galley for enlisted men, \$173,500; barracks for enlisted men, \$348,000.

Navy yard, Mare Island, Calif.: Barracks and mess hall for submarine crews, \$195,000; battery storage and overhaul building, \$240,000.

Naval air station, Lakehurst, N. J.: Barracks for enlisted men and marines, \$250,000; gas cell shop and storage building, \$200,000; quarters for married officers, \$90,000.

Marine barracks, Quantico, Va.: Barracks for enlisted men; roads; walks; and distributing systems, \$1,450,000.

Marine Corps flying field, Quantico, Va.: Filling and grading flying field, \$500,000.

Navy yard, Norfolk, Va.: Purchase or condemnation of land and dredging, \$65,000.

Naval air station, Anacostia, D. C.: Offices and barracks and mess hall for 250 men, \$275,000; heating plant and distributing system, \$25,000.

Navy yard, Philadelphia, Pa.: Storage facilities for gear, Dry Dock No. 3, \$10,000.

Naval base, Canal Zone: Commandant's quarters, \$35,000; officers' quarters, \$58,000.

Submarine base, Coco Solo, Canal Zone: Officers' quarters, \$240,000. Naval air station, Hampton Roads, Va.: Administration building, \$200,000.

Naval training station, Hampton Roads, Va.: Barracks and mess hall, \$600,000.

SEC. 2. That the Secretary of the Navy is hereby authorized to enter into contract, at a cost not to exceed \$35,000, for the removal of certain private lines of poles supporting telegraph, power, signal, and telephone wires and cables located on private rights of way adjoining the Marine Corps flying fields at Quantico, Va., and for the placing of said wires and cables underground; for providing additional ducts and laying of cables for the Government's power and telephone service at said flying fields, and for the construction of the necessary manholes for the separate or joint use of all interested parties; the contract to be placed with such party or parties, with or without competition, and on such terms and conditions as the Secretary of the Navy may in the interests of the Government, deem most advantageous.

SEC. 3. That the Secretary of the Navy be, and he hereby is, authorized to acquire on behalf of the United States by purchase or condemnation, after an appropriation of the necessary funds has been made therefor, the site of the Marine Corps flying field at Reid, Quantico, Va.; and for that purpose a sum not in excess of \$15,000 is hereby authorized to be appropriated and made available in addition to the amount of \$20,000 made available by section 6 of the act of March 4, 1925, under the appropriation "Aviation, Navy, 1924."

SEC. 4. That the Secretary of the Navy be, and he hereby is, authorized to acquire on behalf of the United States by purchase or condemnation, after an appropriation of the necessary funds has been made therefor, the site of the naval air station at Sumay and the naval station at Piti, Guam; and for that purpose a sum not in excess of \$9,000 is hereby authorized to be appropriated and made available.

SEC. 5. That the Secretary of the Navy is authorized, when directed by the President, to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest to so much of the property now constituting the site of the submarine and destroyer base, San Diego, Calif., together with any improvements thereon belonging to the United States, as lies to the north of a line running due east from station 300 on the United States bulkhead line as established in 1918, in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States, of all right, title, and interest to the following described property, together with any improvements thereon, now belonging to the said city of San Diego: Beginning at station 300 on the United States bulkhead line, as established in 1918; thence south 40° 38' 36" east along said bulkhead line, a distance of 899.38 feet to the southwest corner of that tract of land conveyed by the city of San Diego to the United States of America for a dry-dock station or similar purposes, by deed dated September 3, 1919; thence north 16° 00' east along the westerly line of said tract a distance of 709.93 feet to a point; thence due west 781.49 feet to the point or place of beginning.

SEC. 6. That the Secretary of the Navy is hereby authorized to establish boundary lines of the United States property constituting Governors Island, in Boston Harbor, Mass., as follows: Beginning at a point in the pierhead and bulkhead line established by the Secretary of War December 1, 1921, in latitude south 2,147.2 and longitude east 12,625.6; thence running north 33° 15' 55.6" east 2,000 feet to a point in latitude south 475 and longitude east 13,722.6; thence south 56° 44' 4.4" east 2,500 feet to a point in latitude 1,846.3 south and longitude 15,812.9 east; thence south 49° 53' 30" east 2,517.9 feet to a point in latitude south 3,468.4 and longitude east 17,738.7; thence south 33° 15' 55.6" west 2,020.5 feet to a point in the United States pierhead and bulkhead line established March 6, 1923, in latitude south 5,157.8 and longitude east 16,630.4; thence north 74° west 796.9 feet in said pierhead and bulkhead line established March 6, 1923, to a point in latitude south 4,938.1 and longitude east 15,864.4; thence north 49° 14' 55" west 4,275.5 feet in said pierhead and bulkhead line established March 6, 1923, to the point of beginning.

In addition, the Secretary of the Navy is authorized to establish property boundary lines of an area for a wharf 600 feet long and 100 feet wide bordering on the United States pierhead and bulkhead line between the points "K" and "L" and a right of way 100 feet wide connecting said wharf area with the main portion of the flats appurtenant to Governors Island, in accordance with the points, bearings, and delineated areas as shown on a plan marked "Governors Island exchange of land by Commonwealth of Massachusetts and United States of America, November, 1922," Bureau of Yards and Docks, No. 100040.

That in consideration of the conveyance by the Commonwealth of Massachusetts to the United States of all property of said Commonwealth lying inside of said boundary lines, all as approximately shown on the aforesaid plan, the Secretary of the Navy is hereby authorized to convey to the Commonwealth of Massachusetts the property of the United States lying outside of and immediately adjoining said boundary lines.

SEC. 7. That the Secretary of the Navy is hereby authorized in his discretion to return to the heirs-at-law of John H. Abel the title to all that tract of land containing 5.17 acres, more or less, which was taken over by the United States by proclamation of the President, dated November 4, 1918, as a part of the Marine Corps Reservation, Quantico, Va.

SEC. 8. That the Secretary of the Navy is hereby authorized to dispose of the land and improvements comprising the former naval hospital property, Key West, Fla., in like manner and under like terms, conditions, and restrictions as prescribed for the disposition of certain other naval properties by the act entitled "An act to authorize the disposition of lands no longer needed for naval purposes," approved June 7, 1926 (44 Stats. 700), and the net proceeds from the sale of said hospital property shall be deposited in the Treasury to the credit of the naval hospital fund.

SEC. 9. That the Secretary of the Navy is hereby authorized to dispose of the land and improvements comprising the former naval radio station, Marshfield, Oreg., in like manner and under like terms, conditions, and restrictions as prescribed for the disposition of certain other naval properties by the act entitled "An act to authorize the disposition of lands no longer needed for naval purposes," approved June 7, 1926 (44 Stats. 700), and the net proceeds from the sale of said radio-station property shall be deposited in the Treasury to the credit of the naval public-works construction fund created by section 9 of said act.

SEC. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on six months' notice, the floating dry dock and water-front accessories at the naval station, New Orleans (Algiers), La., and to credit to the rental the reasonable cost of such repairs to said property as the lessee may be required to make to prevent physical deterioration. All remaining money received from any such lease shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans.

SEC. 11. That the Secretary of the Navy is hereby authorized to execute on behalf of the United States all instruments necessary to accomplish the aforesaid purposes.

Mr. FRENCH. Mr. Speaker, I offer an amendment to the amendment offered by the gentleman from Michigan [Mr. WOODRUFF].

The SPEAKER. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 3, line 15, strike out the sign and figures "\$35,000" and insert in lieu thereof "\$15,000."

On page 3, line 15, at the end of the paragraph, add the following: "*Provided*, That the limit of cost prescribed in the act of June 25, 1910 (U. S. C., title 10, sec. 1377), shall apply to all authorizations contained in this act for building single quarters for officers of corresponding grades and rank."

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Idaho to the amendment offered by the gentleman from Michigan.

The amendment to the amendment was agreed to.

Mr. COLLINS. Mr. Speaker, I offer an amendment to the amendment.

The SPEAKER. The gentleman from Mississippi offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: Page 1, lines 7 and 8, strike out the language, "naval station, San Diego, Calif., one small floating dry dock, \$425,000."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

OMNIBUS BRIDGE BILL

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9806, the omnibus bridge bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Illinois [Mr. DENISON] asks unanimous consent to take from the Speaker's table the bill H. R. 9806, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DENISON, BURNETT, and PARKS.

MESSAGE FROM THE PRESIDENT—INTERNATIONAL WATER COMMISSION

The SPEAKER laid before the House the following message from the President, which was referred to the Committee on Foreign Affairs and ordered to be printed with accompanying appendices.

To the Congress of the United States:

I inclose herewith a copy of a letter from the Acting Secretary of State, transmitting the report submitted by the American section of the International Water Commission, United States and Mexico, setting forth the result of its study, in cooperation with representatives of Mexico, of a plan looking to the equitable use of the waters of the Lower Rio Grande, the Lower Colorado, and Tia Juana Rivers in accordance with the provisions of the acts of Congress approved May 13, 1924, and March 3, 1927, respectively.

HERBERT HOOVER.

THE WHITE HOUSE, April 21, 1930.

(Inclosures: As above stated.)

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 193. An act for the relief of the Union Shipping & Trading Co. (Ltd.); to the Committee on War Claims.

S. 261. An act amending the act of January 25, 1917 (39 Stat. L. 868), and other acts relating to the Yuma auxiliary project, Arizona; to the Committee on Irrigation and Reclamation.

S. 413. An act authorizing the issuance to Wesley A. Howard of a patent for certain lands; to the Committee on the Public Lands.

S. 671. An act for the relief of E. M. Davis; to the Committee on Claims.

S. 917. An act for the relief of Margaret Diederich; to the Committee on Claims.

S. 1011. An act to amend the act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, and for other purposes; to the Committee on Military Affairs.

S. 1254. An act for the relief of Kremer & Hog, a partnership; to the Committee on Claims.

S. 1255. An act for the relief of the Gulf Refining Co.; to the Committee on Claims.

S. 1256. An act for the relief of the Federation Bank & Trust Co., New York, N. Y.; to the Committee on Claims.

S. 1257. An act for the relief of the Beaver Valley Milling Co.; to the Committee on Claims.

S. 1455. An act to amend the immigration act of 1924 in respect of quota preferences; to the Committee on Immigration and Naturalization.

S. 1702. An act for the relief of George W. Burgess; to the Committee on Claims.

S. 1756. An act granting the sum of \$5,000 to reimburse the family of the late Harold L. Lytle for hospital and medical expenses and loss of salary due to an injury received in a collision with a Government truck in Portsmouth, N. H., May 10, 1927; to the Committee on Claims.

S. 1963. An act for the relief of members of the crew of the transport *Antilles*; to the Committee on War Claims.

S. 1971. An act for the relief of Buford E. Ellis; to the Committee on Claims.

S. 1979. An act for the relief of Warren J. Clear; to the Committee on Claims.

S. 2972. An act for the relief of DeWitt & Shobe; to the Committee on Claims.

S. 3051. An act authorizing the Secretary of the Interior to erect a monument to commemorate the heroic sacrifice and the service of Martin Charger and 10 other Indians in the rescue of white women and children held as captives by an unfriendly Indian tribe; to the Committee on the Library.

S. 3404. An act authorizing the Secretary of Commerce to dispose of a portion of the Amelia Island Lighthouse Reservation, Florida; to the Committee on Interstate and Foreign Commerce.

S. 3577. An act for the relief of John Wilcox, jr.; to the Committee on Claims.

S. 3585. An act to eliminate certain lands from the Tusayan National Forest, Ariz., as an addition to the Western Navajo Indian Reservation; to the Committee on Public Lands.

S. 3623. An act for reimbursement of James R. Sheffield, formerly American ambassador to Mexico City; to the Committee on Claims.

S. 3641. An act for the relief of owners of cargo aboard the steamship *Bozley*; to the Committee on Claims.

S. 3691. An act to amend an act entitled "An act relative to naturalization and citizenship of married women," approved

September 22, 1922; to the Committee on Immigration and Naturalization.

S. 3726. An act for the relief of the owner of the American steam tug *Charles Runyon*; to the Committee on Claims.

S. 3727. An act for the relief of the owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918; to the Committee on Claims.

S. 3728. An act for the relief of the owner of barge *Consolidation Coastwise No. 10*; to the Committee on Claims.

S. 3845. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended March 4, 1915, June 26, 1918, and June 7, 1924; to the Committee on Interstate and Foreign Commerce.

S. 3898. An act granting the consent of Congress to the Mill Four Drainage District, in Lincoln County, Oreg., to construct, maintain, and operate dams and dikes to prevent the flow of waters of Yaquina Bay and River into Nutes Slough, Boones Slough, and sloughs connected therewith; to the Committee on Irrigation and Reclamation.

S. 3901. An act to establish a commercial airport for the District of Columbia; to the Committee on Public Buildings and Grounds.

S. 4022. An act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest, in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River, at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President for his approval bills of the House of the following titles:

On April 18, 1930:

H. R. 6343. An act to provide for the extension of the boundary limits of the proposed Great Smoky Mountains National Park, the establishment of which is authorized by the act approved May 22, 1926 (44 Stat. 616); and

H. R. 9546. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1931, and for other purposes.

On April 21, 1930:

H. R. 3141. An act to amend paragraph (11) of section 20 of the interstate commerce act, as amended;

H. R. 4291. An act to amend section 43 of the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";

H. R. 4810. An act to add certain lands to the Helena National Forest in the State of Montana;

H. R. 6604. An act to amend sections 6 and 9 of the Federal reserve act, and for other purposes;

H. R. 8293. An act to amend an act entitled "An act to readjust the commissioned personnel of the Coast Guard, and for other purposes," approved March 2, 1929;

H. R. 8637. An act to fix the rank and pay of the Commandant of the Coast Guard;

H. R. 9671. An act to extend the times for commencing and completing the construction of a free highway bridge across the St. Croix River at or near Stillwater, Minn.;

H. R. 9672. An act to extend the times for commencing and completing the construction of a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 9901. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near the village of Clearwater, Minn.; and

H. R. 9931. An act granting the consent of Congress to Berks County, State of Pennsylvania, to construct, maintain, and operate a free highway bridge across the Schuylkill River at or near Reading, Pa.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 36 minutes p. m.) the House adjourned until to-morrow, Tuesday, April 22, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, April 22, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

To amend the interstate commerce act, as amended, to require separate valuation of terminal facilities and a reasonable return thereon (H. R. 10418).

COMMITTEE ON FLOOD CONTROL—SUBCOMMITTEE ON PRELIMINARY EXAMINATION AND SURVEY

(10.30 a. m.)

To authorize a preliminary examination of the French Broad River for the purpose of flood control (H. R. 10720).

Authorizing a preliminary examination and survey of the Mokelumne River, Calif., and its tributaries, with a view to the control of floods (H. R. 9779).

To provide for a survey of the Tittabawassee and Chippewa Rivers, Mich., with a view to the prevention and control of floods (H. R. 2936).

To authorize a preliminary examination of the Fox River, Wis., for the purpose of flood control (H. R. 11201).

To provide a preliminary survey of Waccamaw River, N. C. and S. C., with a view to the control of its floods (H. R. 10264).

To authorize and direct a preliminary examination of the Hocking River for the distance it flows through Athens County, Ohio (H. R. 8736).

To authorize and direct a preliminary examination of the Mohican River Ditch from Lake Fork, Ohio, south a distance of 8 miles (H. R. 8290).

Authorizing the Secretary of War to cause a preliminary examination and survey to be made of Pearl River from Jackson, Miss., to Rockport, Miss. (H. R. 7430).

To provide for examination and survey of Licking River, Ky. (H. R. 7608).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

EXECUTIVE COMMUNICATIONS, ETC.

Under Clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

415. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1931, amounting to \$665,000 (H. Doc. No. 355); to the Committee on Appropriations, and ordered to be printed.

416. A letter from the Secretary of War, transmitting a partial report from the Chief of Engineers on preliminary examination and survey of the Allegheny River, Pa. and N. Y., with a view of enlarging the present adopted project for the improvement of said river (covering section below Dam No. 4) (H. Doc. No. 356); to the Committee on Rivers and Harbors and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. BUCKBEE: Committee on the Post Office and Post Roads. H. R. 5190. A bill to enable the Postmaster General to authorize the establishment of temporary or emergency star-route service from a date earlier than the date of the order requiring such service; without amendment (Rept. No. 1225). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUDLOW: Committee on the Library. H. R. 7924. A bill for the erection of tablets or markers and the commemoration of Camp Blount and the Old Stone Bridge, Lincoln County, Tenn.; with amendment (Rept. No. 1226). Referred to the Committee of the Whole House on the state of the Union.

Mr. EATON of New Jersey: Committee on Foreign Affairs. H. R. 11371. A bill to provide living quarters, including heat, fuel, and light, for civilian officers and employees of the Government stationed in foreign countries; without amendment (Rept. No. 1227). Referred to the Committee of the Whole House on the state of the Union.

Mr. CRAIL: Committee on Foreign Affairs. H. J. Res. 235. A joint resolution authorizing an annual appropriation for the expense of establishing and maintaining a United States passport bureau at Portland, Oreg.; with amendment (Rept. No. 1228). Referred to the Committee of the Whole House on the state of the Union.

Mr. KORELL: Committee on Foreign Affairs. H. J. Res. 305. A joint resolution providing for the participation by the United States in the International Conference on Load Lines, to be held in London, England, in 1930; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 252. A bill to facilitate work of the Department of Agriculture in the Territory of Alaska; without amendment (Rept. No. 1233). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 8651. A bill to authorize the dispatch from the mailing post office of metered permit matter of the first class, prepaid at least 2 cents but not fully prepaid, and to authorize the acceptance of third-class matter without stamps affixed in such quantities as may be prescribed; without amendment (Rept. No. 1234). Referred to the House Calendar.

Mr. KELLY: Committee on the Post Office and Post Roads. H. R. 10344. A bill to provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues; with amendment (Rept. No. 1235). Referred to the House Calendar.

Mr. WOLVERTON of West Virginia: Committee on the Post Office and Post Roads. H. R. 11007. A bill to amend the act of August 24, 1912 (ch. 389, par. 7, 37 Stats. 555), making appropriations for the Post Office Department for the fiscal year ending June 30, 1913; with amendment (Rept. No. 1236). Referred to the House Calendar.

Mr. JENKINS: Committee on Immigration and Naturalization. H. R. 9803. A bill to amend the fourth proviso to section 24 of the immigration act of 1917, as amended; without amendment (Rept. No. 1237). Referred to the Committee of the Whole House on the state of the Union.

Mr. HESS: Committee on Naval Affairs. H. R. 10082. A bill to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic at Cincinnati, Ohio; with amendment (Rept. No. 1238). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10464. A bill to facilitate and simplify national forest administration; without amendment (Rept. No. 1239). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10780. A bill to transfer certain lands to the Ouachita National Forest, Ark.; without amendment (Rept. No. 1240). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 10823. A bill to grant a right of way or easement over lands of the United States within the Upper Mississippi River Wild Life and Fish Refuge to the Wabasha-Nelson Bridge Co., assignee of the Wabasha bridge committee, for the construction of a bridge from Wabasha, Minn., to Nelson, Wis., as authorized by the act of March 10, 1928, as amended December 13, 1929; without amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 11285. A bill to amend the Alaska game law; with amendment (Rept. No. 1242). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALE: Committee on Naval Affairs. S. 428. An act to authorize the transfer of the former naval radio station, Seawall, Me., as an addition to the Acadia National Park; without amendment (Rept. No. 1243). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. S. 3185. An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy; without amendment (Rept. No. 1244). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOOPER: Committee on the Public Lands. S. 3934. An act granting certain lands to the city of Sault Ste. Marie, State of Michigan; without amendment (Rept. No. 1245). Referred to the Committee of the Whole House on the state of the Union.

Mr. CABLE: Committee on Immigration and Naturalization. H. R. 10668. A bill to authorize issuance of certificates of citizenship to certain veterans of the World War; without amendment (Rept. No. 1251). Referred to the House Calendar.

Mr. CABLE: Committee on Immigration and Naturalization. H. R. 10670. A bill to amend the naturalization laws in respect of competency of witnesses; without amendment (Rept. No. 1252). Referred to the House Calendar.

Mr. WARREN: Committee on the Library. H. R. 11547. A bill to provide for the erection of a marker or tablet to the memory of Joseph Hewes, signer of the Declaration of Independence, member of the Continental Congress, and patriot of the Revolution, at Edenton, N. C.; without amendment (Rept. No. 1253). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 11582. A bill to provide monuments to mark the birthplaces of deceased Presidents of the United States; without amendment (Rept. No. 1254). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. J. Res. 306. A joint resolution establishing a commission for the participation of the United States in the observance of the three hundredth anniversary of the founding of the Massachusetts Bay Colony, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; without amendment (Rept. No. 1255). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII.

Mr. GUYER: Committee on Claims. H. R. 456. A bill for the relief of Hans Roehl; with amendment (Rept. No. 1216). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 558. A bill for the relief of the Chico-Westwood-Susanville Auto Stage Co., Chico, Calif.; without amendment (Rept. No. 1217). Referred to the Committee of the Whole House.

Mr. COCHRAN of Pennsylvania: Committee on Military Affairs. H. R. 1882. A bill for the relief of Harry Cinq-Mars; with amendment (Rept. No. 1218). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 5810. A bill to pay the Westinghouse Electric & Manufacturing Co. the sum of \$1,900.80, money paid as duty on merchandise imported under section 308 (5) of the tariff act; without amendment (Rept. No. 1219). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 6243. A bill for the relief of A. E. Bickley; without amendment (Rept. No. 1220). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 6268. A bill for the relief of Thomas J. Parker; without amendment (Rept. No. 1221). Referred to the Committee of the Whole House.

Mr. SIMMS: Committee on Claims. H. R. 7013. A bill for the relief of Howard Perry; with amendment (Rept. No. 1222). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 8347. A bill for the relief of the Palmer Fish Co.; without amendment (Rept. No. 1223). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 8440. A bill for the relief of Henry A. Levaque; with amendment (Rept. No. 1224). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 1527. A bill for the relief of Edna B. Erskine; with amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 6362. A bill for the relief of Con Murphy; without amendment

(Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 7664. A bill to authorize payment of fees to M. L. Flowe, United States commissioner, of Monroe, N. C., for services rendered after his commission expired and before a new commission was issued for reappointment; with amendment (Rept. No. 1232). Referred to the Committee of the Whole House.

Mr. DRANE: Committee on Naval Affairs. H. R. 10365. A bill for the relief of Tracy Lee Phillips; without amendment (Rept. No. 1246). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 11337. A bill for the relief of Joseph N. Marin; without amendment (Rept. No. 1247). Referred to the Committee of the Whole House.

Mr. SANDERS of Texas: Committee on Naval Affairs. S. 8. An act for the relief of Lieut. David O. Bowman, Medical Corps, United States Navy; without amendment (Rept. No. 1248). Referred to the Committee of the Whole House.

Mr. SANDERS of Texas: Committee on Naval Affairs. S. 420. An act for the relief of Charles E. Byron, alias Charles E. Marble; without amendment (Rept. No. 1249). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. S. 3784. An act for the relief of John Marks, alias John Bell; without amendment (Rept. No. 1250). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11253) granting a pension to Addaline Collins, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKBEE: A bill (H. R. 11779) granting the consent of Congress to the State of Illinois to construct, maintain, and operate a bridge across the Pecatonica River northwest of Rockford, Ill., in section 5, township 27 north, range 11 east, fourth principal meridian; to the Committee on Interstate and Foreign Commerce.

By Mr. KINCHELOE: A bill (H. R. 11780) granting the consent of Congress to Louisville & Nashville Railroad Co. to construct, maintain, and operate a railroad bridge across the Ohio River at or near Henderson, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. DEMPSEY: A bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. LEAVITT: A bill (H. R. 11782) to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; to the Committee on Indian Affairs.

Also, a bill (H. R. 11783) to authorize the collection of penalties and fees for stock trespassing on Indian lands; to the Committee on Indian Affairs.

By Mr. TAYLOR of Colorado: A bill (H. R. 11784) to provide for the addition of certain lands to the Rocky Mountain National Park in the State of Colorado; to the Committee on the Public Lands.

By Mr. SWING: A bill (H. R. 11785) to conserve the water resources and to encourage reforestation on the watersheds of San Bernardino and Riverside Counties, Calif., by the withdrawal of the public lands within the San Bernardino National Forests from location and entry under the mining laws; to the Committee on the Public Lands.

By Mr. RAGON: A bill (H. R. 11786) granting the consent of the Congress to the Arkansas State Highway Commission to construct, maintain, and operate a toll bridge across the Arkansas River, at a point suitable to the interests of navigation, near the town of Ozark, Franklin County, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER: A bill (H. R. 11787) authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain reversioned and reconveyed lands in the State of Oregon; to the Committee on the Public Lands.

By Mr. FREE: A bill (H. R. 11788) authorizing pursers or agents of vessels of the United States to perform the duties of the masters of such vessels in relation to entrance and clearance of same in customs collection districts of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAUGEN: A bill (H. R. 11789) to aid in the maintenance of engineering experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplemental thereto; to the Committee on Agriculture.

By Mr. MORTON D. HULL: A bill (H. R. 11790) to purchase and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt; to the Committee on Rules.

By Mr. KELLY: A bill (H. R. 11791) to readjust the salaries of certain third-class postmasters; to the Committee on the Post Office and Post Roads.

By Mr. LANKFORD of Virginia: A bill (H. R. 11792) granting pensions to certain soldiers who served in the Mexican border or Tin Horn war, and for other purposes; to the Committee on Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 11793) to compensate the Delaware Indians for services rendered by them to the United States in various wars; to the Committee on Indian Affairs.

By Mr. CAMPBELL of Pennsylvania: Joint resolution (H. J. Res. 309) providing for participation in the dedication of a memorial park in commemoration of the western rebellion generally known as the Whisky Insurrection of 1794, and establishing a commission to be known as the United States Whisky Insurrection Commission; to the Committee on Rules.

By Mr. FISH: Joint resolution (H. J. Res. 310) relative to The Hague Conference on the Codification of International Law; to the Committee on Foreign Affairs.

By Mr. BLOOM: Joint resolution (H. J. Res. 311) for the participation of the United States in an exposition to be held at Paris, France, in 1931; to the Committee on Foreign Affairs.

By Mr. LEAVITT: Joint resolution (H. J. Res. 312) to clarify and amend an act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboiné Indians may have against the United States, and for other purposes," approved March 2, 1927; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACON: A bill (H. R. 11794) granting a pension to Sarah E. Dunbar; to the Committee on Invalid Pensions.

By Mr. BLACKBURN: A bill (H. R. 11795) granting a pension to Eline Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11796) granting a pension to Belle Moore; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H. R. 11797) for the relief of the heirs of Jacob J. Udelson; to the Committee on Claims.

By Mr. BRAND of Ohio: A bill (H. R. 11798) granting an increase of pension to Anna E. Canfield; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 11799) granting a pension to Rosa Ellis; to the Committee on Invalid Pensions.

By Mr. CONNERY: A bill (H. R. 11800) granting a pension to Charles M. Porter; to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 11801) granting an increase of pension to Mary A. Ripley; to the Committee on Invalid Pensions.

By Mr. EATON of New Jersey: A bill (H. R. 11802) granting a pension to Mary E. Tiger; to the Committee on Invalid Pensions.

By Mr. ENGLEBRIGHT: A bill (H. R. 11803) granting a pension to Addie J. Bridges; to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 11804) for the relief of Mary Cooper; to the Committee on Claims.

By Mr. GAMBRILL: A bill (H. R. 11805) for the relief of the heirs of James Henry Birch; to the Committee on Claims.

By Mr. GARNER: A bill (H. R. 11806) granting a pension to William Fawcett Hardeman; to the Committee on Pensions.

Also, a bill (H. R. 11807) granting a pension to Charles W. McFaddin; to the Committee on Pensions.

Also, a bill (H. R. 11808) granting a pension to Wyatt E. Heard; to the Committee on Pensions.

Also, a bill (H. R. 11809) granting a pension to Henry W. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11810) granting a pension to George W. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11811) granting a pension to members of Troop G, First Texas Volunteer Cavalry, commonly known as Montell Guards; to the Committee on Pensions.

Also, a bill (H. R. 11812) granting a pension to James Whitecotton; to the Committee on Pensions.

Also, a bill (H. R. 11813) granting a pension to Sidney J. Baylor; to the Committee on Pensions.

Also, a bill (H. R. 11814) granting a pension to Oscar D. Baker; to the Committee on Pensions.

By Mr. HOOPER: A bill (H. R. 11815) granting a pension to Ruth M. Forker; to the Committee on Invalid Pensions.

By Mr. HUDSPETH: A bill (H. R. 11816) granting a pension to Charles E. Sloan; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 11817) granting a pension to Annie Paty; to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 11818) granting an increase of pension to Ladocia L. Calhoun; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11819) granting an increase of pension to Elizabeth Delong; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 11820) to authorize issuance of a patent for certain lands to J. R. Murphy; to the Committee on the Public Lands.

By Mr. MOUSER: A bill (H. R. 11821) granting an increase of pension to Melissa Hauman; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 11822) granting an increase of pension to Edith G. Joseph; to the Committee on Invalid Pensions.

By Mrs. OWEN: A bill (H. R. 11823) granting an increase of pension to Elizabeth J. Kemper; to the Committee on Invalid Pensions.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 11824) granting a pension to Ida May Stewart; to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 11825) for the relief of Martin-Walsh (Inc.); to the Committee on Claims.

By Mr. RAMSPECK: A bill (H. R. 11826) for the relief of the heirs of Wellborn Echols; to the Committee on War Claims.

By Mr. McREYNOLDS: A bill (H. R. 11827) granting a pension to Alton Frazier Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11828) granting a pension to Annie Grom; to the Committee on Invalid Pensions.

By Mr. ROWBOTTOM: A bill (H. R. 11829) granting an increase of pension to Anna Webber; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 11830) granting a pension to Robert Lovens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11831) granting a pension to Mary E. Bryant; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11832) granting a pension to Henry C. Potter; to the Committee on Pensions.

Also, a bill (H. R. 11833) granting a pension to David Johnson; to the Committee on Pensions.

Also, a bill (H. R. 11834) granting a pension to Mary Ann Tabler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11835) granting a pension to Martha Ruth-erford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting a pension to Frank Bullock; to the Committee on Invalid Pensions.

By Mr. SPEAKS: A bill (H. R. 11837) granting an increase of pension to Hattie Dersam; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11838) granting a pension to Julia C. Wharton; to the Committee on Invalid Pensions.

By Mr. SLOAN: A bill (H. R. 11839) for the relief of Robert Pease; to the Committee on Claims.

By Mr. SWANSON: A bill (H. R. 11840) for the relief of Uriel Sliter; to the Committee on Military Affairs.

By Mr. SWICK: A bill (H. R. 11841) granting an increase of pension to Mary E. Martin; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 11842) granting a pension to Lammie Clement; to the Committee on Pensions.

By Mr. TURPIN: A bill (H. R. 11843) for the relief of Harold Heidel; to the Committee on Military Affairs.

Also, a bill (H. R. 11844) for the relief of Joseph R. Redl-hammer; to the Committee on Claims.

By Mr. UNDERWOOD: A bill (H. R. 11845) granting an increase of pension to Elizabeth Rainey; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 11846) for the relief of Thomas Kelly; to the Committee on Naval Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 11847) granting a pension to Sallie J. Fossit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11848) granting an increase of pension to Margaret E. Russell; to the Committee on Invalid Pensions.

By Mr. COOKE: Resolution (H. Res. 209) to pay Anne Falkenreck, sister of Carl F. Falkenreck, six months' compensation and an additional amount not exceeding \$250 to defray funeral expenses and last illness of the said Carl F. Falkenreck; to the Committee on Accounts.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6837. By Mr. BLACKBURN: Memorial of the Baptist Women's Missionary Union of Kentucky, adopted at the central district meeting at Lexington, Ky., signed by Mrs. C. F. Creal, president, and Mrs. M. G. Peak, secretary, memorializing Congress to enact a statute for the regulation of the production and supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

6838. By Mr. BLOOM: Petition of citizens of Cincinnati, Ohio, opposing the calling of an international conference by the President of the United States, or the acceptance by him of an invitation to participate in such a conference, for the purpose of revising the present calendar, unless a proviso be attached thereto definitely guaranteeing the preservation of the continuity of the weekly cycle without the insertion of the blank days; to the Committee on Foreign Affairs.

6839. By Mr. BOWMAN: Petition from constituents in West Virginia, urging support of pension-increase legislation; to the Committee on Pensions.

6840. By Mr. CONNERY: Petition of citizens of Lawrence, Mass., asking for increase in pensions for Spanish War veterans; to the Committee on Pensions.

6841. By Mr. COOPER of Wisconsin: Memorials of Wisconsin State Horticultural Society, Wisconsin State Grange, Wisconsin Council of Agriculture, Wisconsin State Legislature, and Wisconsin Farm Bureau Federation, protesting against the proposed tariff on lumber and shingles from Canada; to the Committee on Ways and Means.

6842. By Mr. DAVENPORT: Petition of George O. Pennock, Christian Klossner, and John O. Clark, of Utica, N. Y., and others, favoring the passage of House Joint Resolution 20, providing for an amendment to the Constitution to eliminate unnaturalized aliens from the population count for apportionment of Members of Congress; to the Committee on the Judiciary.

6843. By Mr. ELLIOTT: Petition of Charles W. Archey and 159 citizens of Shelby County, Ind., to amend section 200 of the World War veterans act; to the Committee on World War Veterans' Legislation.

6844. By Mr. ENGLEBRIGHT: Petition of Femdale Woman's Christian Temperance Union, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6845. Also, petition of Sororis Club of Fort Bragg, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6846. Also, petition of Mednolino Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6847. Also, petition of East Palo Alto Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6848. Also, petition of South San Francisco Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6849. Also, petition of Woman's Club of San Malco, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6850. Also, petition of Burlingame Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6851. Also, petition of Women's One Hundred Per Cent Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6852. Also, petition of Tomalis Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6853. Also, petition of Tamalporis Civic Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6854. Also, petition of Sansolito Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6855. Also, petition of Outdoor Art Club (Inc.), California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6856. Also, petition of San Rafael Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6857. Also, petition of the Larkspur Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6858. Also, petition of Fairfax Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6859. Also, petition of Corte Madera Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6860. Also, petition of Bolinas Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6861. Also, petition of Reedley Study and Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6862. Also, petition of the Woman's Civic Club, of Riverdale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6863. Also, petition of Kingsburg Tuesday Club, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6864. Also, petition of United West Side Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6865. Also, petition of Orange Cove Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6866. Also, petition of the Welcome Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6867. Also, petition of the Salide Ladies Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6868. Also, petition of Woman's Club, of Bakersfield, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6869. Also, petition of the Friday Club, of Fresno, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6870. Also, petition of Pio Pica Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6871. Also, petition of Belmont Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6872. Also, petition of Highland Park Ebell Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6873. Also, petition of Corcoran Thursday Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6874. Also, petition of Sonoma C. Federation of Woman's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6875. Also, petition of McFarland Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6876. Also, petition of Coalinga Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6877. Also, petition of Los Angeles District (Calif.) Federation of Woman's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6878. Also, petition of Covina Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6879. Also, petition of the Lomita Park Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6880. Also, petition of the Northbrae Woman's Club, California, indorsing house bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6881. Also, petition of Monday Universal Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6882. Also, petition of Girl's Auxiliary of Philomathean Club of Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6883. Also, petition of Rockbridge Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6884. Also, petition of University of California Mother's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6885. Also, petition of Alta Vista Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6886. Also, petition of Foothill Boulevard Women's Club of Oakland, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6887. Also, petition of the Park Boulevard Club, Oakland, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6888. Also, petition of Hill and Valley Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6889. Also, petition of California State Nurses' Association, District X, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6890. Also, petition of Lockeford Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6891. Also, petition of Philomathean Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6892. Also, petition of the Aldine Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6893. Also, petition of Mento Park Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6894. Also, petition of the California History and Landmark Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6895. Also, petition of Lions Club, Yreka, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6896. Also, petition of Chambers Board of Supervisors of Siskiyou County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6897. Also, petition of Sam Duker, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6898. Also, petition of Lions Club, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6899. Also, petition of D. Fricot, Angels Camp, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6900. Also, petition of Pacific Gas & Electric Co., Salinas, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6901. Also, petition of A. A. Arnold, Bank of Italy, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6902. Also, petition of Fred B. Risley, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6903. Also, petition of Santa Barbara County Board of Forestry, Santa Barbara, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6904. Also, petition of San Joaquin Regional Advisory Council, California Development Association, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6905. Also, petition of Merced County Board of Supervisors, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6906. Also, petition of Santa Cruz County Rod and Gun Club, Santa Cruz, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6907. Also, petition of Orange County Farm Bureau Board of Directors, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6908. Also, petition of Southern California Regional Advisory Council, California Development Association, Los Angeles, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6909. Also, petition of Business and Professional Women's Club of Lodi, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6910. Also, petition of Westwood Auto Club, Westwood, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.
6911. Also, petition of California Barrel Co. (Ltd.), indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6912. Also, petition of Women's Civic Center, San Francisco, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6913. Also, petition of Parent Teacher Association of Yosemite, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6914. Also, petition of Hortense Davis, Pass Christian, Miss., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6915. Also, petition of supervisors of Riverside County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6916. Also, petition of Lions Club of Sonora, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6917. Also, petition of Santa Clara Exchange Club, Santa Clara, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6918. Also, petition of neighbors and coworkers with the Government year round, in Yosemite National Park, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6919. Also, petition of Rotary Club of Fresno, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6920. Also, petition of Cajon Parent Teacher Association, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6921. Also, petition of San Joaquin County Farm Bureau Federation, Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6922. Also, petition of Deer Creek Livestock Association, Porterville, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6923. Also, petition of Chamber of Commerce of Redondo Beach, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6924. Also, petition of American Legion, Department of California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6925. Also, petition of Rio Vista Post 178, the American Legion, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6926. Also, petition of James McDermott Post, No. 72, the American Legion, Tracy, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6927. Also, petition of Glendale Post, No. 127, the American Legion, Glendale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6928. Also, petition of Yosemite Post, No. 257, the American Legion, Yosemite, Calif., indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6929. Also, petition of American Legion of Sonora, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6930. Also, petition of Joseph G. McComb Post, No. 146, Ocean-side, Calif., the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6931. Also, petition of Charles P. Rowe Post, No. 30, American Legion, Pomona, Calif., indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6932. Also, petition of Lake Merritt Post, No. 340, the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6933. Also, petition of Wilmington Post, No. 287, Wilmington, Calif., the American Legion, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6934. Also, petition of Madera County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6935. Also, petition of Oakland Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6936. Also, petition of Santa Paula Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6937. Also, petition of Lodi District Chamber of Commerce (Inc.), California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6938. Also, petition of Salinas Chamber of Commerce, California, indorsing House bill 3245, the Englebright fire prevention bill; to the Committee on Agriculture.

6939. Also, petition of Richmond Chamber of Commerce, Richmond, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6940. Also, petition of San Diego Chamber of Commerce, San Diego, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6941. Also, petition of Tracy Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6942. Also, petition of Redding Chamber of Commerce, Redding, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6943. Also, petition of Merced County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6944. Also, petition of Pittsburg Chamber of Commerce, Pittsburg, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6945. Also, petition of San Lorenzo Valley Chamber of Commerce, Santa Cruz County, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6946. Also, petition of board of directors Berkeley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6947. Also, petition of Lassen County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6948. Also, petition of Sebastopol Chamber of Commerce, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6949. Also, petition of Santa Cruz Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6950. Also, petition of Ingelwood Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6951. Also, petition of Fresno County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6952. Also, petition of Coachella Valley Associated Chambers of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6953. Also, petition of Mount Shasta Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6954. Also, petition of Los Angeles Chamber of Commerce, Los Angeles, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6955. Also, petition of Visalia Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6956. Also, petition of Stockton Chamber of Commerce, Stockton, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6957. Also, petition of Exeter Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6958. Also, petition of Arcata Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6959. Also, petition of the Lindsay Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6960. Also, petition of La Canada Valley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6961. Also, petition of Fresno County Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6962. Also, petition of Hawthorne Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6963. Also, petition of San Jose (Calif.) Chamber of Commerce, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6964. Also, petition of Eureka Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6965. Also, petition of Mill Valley Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6966. Also, petition of Crescent City Chamber of Commerce, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6967. Also, petitions of Chamber of Commerce, Novato, Calif., and Santa Barbara County Farm Bureau, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6968. Also, petition of San Juan Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6969. Also, petition of Big Valley Community Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6970. Also, petition of Arcata Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6971. Also, petition of Woman's Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6972. Also, petition of Ord Bend Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6973. Also, petition of Fortnightly Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6974. Also, petition of Pasadena Study Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6975. Also, petition of Women's Improvement Club of Hughson, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6976. Also, petition of Lehama County Federation of Women's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6977. Also, petition of Del Norte Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6978. Also, petition of Calaveras-Tuolumne Bi County Federation, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6979. Also, petition of Marin County Federation of Women's Clubs, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6980. Also, petition of San Francisco district of the California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6981. Also, petition of southern district, California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6982. Also, petition of California Federation of Women's Clubs, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6983. Also, petition of Alameda district of the California Federation of Women's Clubs indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6984. Also, petition of Outdoor Art League, of San Jose, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6985. Also, petition of North Sacramento Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6986. Also, petition of Yuba City Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6987. Also, petition of Colusa Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6988. Also, petition of Willows Monday Afternoon Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6989. Also, petition of Wilson Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6990. Also, petition of Red Bluff Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6991. Also, petition of Etna Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6992. Also, petition of Arbuckle Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6993. Also, petition of Sheridan Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6994. Also, petition of Woman's Club of Williams, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6995. Also, petition of Woman's Club of Gridley, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6996. Also, petition of Wythia Club of Truckee, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6997. Also, petition of Mount Pleasant Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6998. Also, petition of Maxwell Tuesday Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

6999. Also, petition of Placerville Shakespeare Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7000. Also, petition of Woman's Thursday Club of Fair Oaks, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7001. Also, petition of Maywood Woman's Club of Corning, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7002. Also, petition of Portoe Woman's Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7003. Also, petition of Women's Club of Biggs, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7004. Also, petition of Durlani Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7005. Also, petition of Woman's Club of Lincoln, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7006. Also, petition of Capay Rancho Women's Home Improvement Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7007. Also, petition of Chico Art Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7008. Also, petitions of G. W. Grannis Club, California, and District 14, California State Nurses' Association, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7009. Also, petition of American College Club of Chico, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7010. Also, petition of Womens Improvement Club of Roseville, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7011. Also, petition of Woman's Club of Sutter Creek, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7012. Also, petition of Meridian Wednesday Afternoon Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7013. Also, petition of Sycamore Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7014. Also, petition of Greenville Sierra Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7015. Also, petition of Orange Vale Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7016. Also, petition of Wyandotte Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7017. Also, petition of Thammonton Women's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7018. Also, petition of Woman's Study Club of Westwood, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7019. Also, petition of Bayliss Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7020. Also, petition of Woman's Club of Loomis, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7021. Also, petition of Women's Improvement Club of Nevada City, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7022. Also, petition of Village Club, Ferndale, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7023. Also, petition of Trinidad Civic Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7024. Also, petition of Eureka Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7025. Also, petition of Carlotta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7026. Also, petition of Country Club of Washington Township, Calif., indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7027. Also, petition of Oakland New Century Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7028. Also, petition of Atlanta Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7029. Also, petition of Rhodora Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7030. Also, petition of Calaveras Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7031. Also, petition of South Alhambra Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7032. Also, petition of Pacific Grove Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7033. Also, petition of Dinuba Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7034. Also, petition of Hamilton City Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7035. Also, petition of Monterey County Federation, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7036. Also, petition of Lodi Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7037. Also, petition of Fruitvale Woman's Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7038. Also, petition of Unit X, California State Organization Public Health Nursing, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7039. Also, petition of the Oakland Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7040. Also, petition of Adelpian Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7041. Also, petition of Dorcas Club, California, indorsing House bill 3245, Englebright fire prevention bill; to the Committee on Agriculture.

7042. By Mr. FULMER: Resolution submitted by R. B. Waters, board of trade of Sumter, S. C., and passed by the city council of Sumter, S. C., indorsing legislation to enlarge the present post-office building at Sumter, S. C.; to the Committee Public Buildings and Grounds.

7043. By Mr. GARBER of Oklahoma: Petition of Ingham Lumber Co., Kansas City, Mo., in opposition to the tariff on lumber; to the Committee on Ways and Means.

7044. Also, petition of Euchee Lodge No. 524, Ancient Free and Accepted Masons, Sapulpa, Okla., in support of Capper-Robinson bill; to the Committee on Education.

7045. Also, petition of Oklahoma State Federation of Labor in support of House bill 6603; to the Committee on the Post Office and Post Roads.

7046. By Mr. GIBSON: Petition of citizens of the towns of Wells River and Newbury, Vt., urging legislation (H. R. 2562) for the relief of Spanish War veterans; to the Committee on Pensions.

7047. By Mr. KORELL: Petition of residents of Multnomah County, Oreg., urging the enactment of House bill 8976, for the relief of veterans and widows and minor orphans of veterans of Indian wars; to the Committee on Pensions.

7048. By Mr. MILLER: Petition of residents of Seattle, Wash., for favorable report and enactment of House bill 8976, for the relief of veterans and widows and minor orphan children of veterans of Indian wars; to the Committee on Pensions.

7049. By Mr. O'CONNELL of New York: Petition of the Kings County (N. Y.) Pharmaceutical Society, 350 members, respectfully favoring the passage of House bill 11; to the Committee on Interstate and Foreign Commerce.

7050. By Mr. O'CONNOR of Oklahoma: Petition of Mrs. T. E. Berry and 89 other residents of Tulsa, Okla., protesting any proposed change in the calendar of the weekly cycle; to the Committee on Foreign Affairs.

7051. By Mr. PURNELL: Petition of Elizabeth M. Reagan et al., favoring the passage of Senate bill 1468, to amend the food and drugs act of June 30, 1906, by extending its provisions to tobacco and tobacco products; to the Committee on Agriculture.

7052. By Mr. RAMSPECK: Petition of Mr. J. R. Bosworth and 55 other citizens of Atlanta, Ga., in behalf of the proposed legislation to increase Spanish War pensions; to the Committee on Pensions.

7053. By Mr. STONE: Resolution signed by Jerry Small, president, and W. A. Lile, secretary, of the Painters Local Union, No. 1002, Stillwater, Okla., to support House bill 10343, relating to restriction of immigration; to the Committee on Immigration and Naturalization.

7054. By Mr. SWICK: Petition of Mrs. J. B. Mickey and 147 residents of Vanport and vicinity, Beaver County, Pa., urging the enactment of House bill 2562 and Senate bill 476, for the relief of veterans and their widows of the Spanish-American War; to the Committee on Pensions.

7055. By Mr. SWING: Petition of 103 citizens of the eleventh congressional district of California, urging the adoption of a bill to restrict Mexican immigration; to the Committee on Immigration and Naturalization.

7056. By Mr. TARVER: Petition of J. Leo Baker and other citizens of Chattooga County, Ga., in the interest of Spanish-American War veterans' legislation; to the Committee on Pensions.

SENATE

TUESDAY, April 22, 1930

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3135) granting the consent of Congress to Helena S. Ras-kob to construct a dam across Robins Cove, a tributary of Chester River, Queen Annes County, Md.

The message also announced that the House had passed the following bills and joint resolution of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 152. Joint resolution to extend the provisions of the joint resolution for the relief of farmers in certain storm, flood, and/or drought stricken areas, approved March 3, 1930.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DENISON, Mr. BURTNESS, and Mr. PARKS were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 14. An act to make The Star-Spangled Banner the national anthem of the United States of America;

H. R. 2156. An act authorizing the sale of all of the interest and rights of the United States of America in the Columbia Arsenal property, situated in the ninth civil district of Maury County, Tenn., and providing that the net fund be deposited in the military post construction fund, and for the repeal of Public Law No. 542 (H. R. 12479), Seventieth Congress;

H. R. 2828. An act to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes;

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;